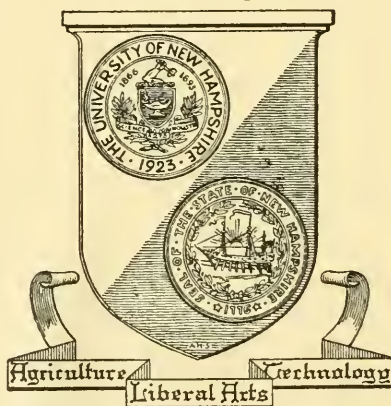




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JOURNAL  
OF THE  
HOUSE OF REPRESENTATIVES  
JANUARY SESSION OF 1955



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WEDNESDAY, JANUARY 5, 1955

On the first Wednesday in January, the year of our Lord, one thousand nine hundred and fifty-five, being the day designated by the constitution for the assembling of that body, the one hundred and thirty-fourth General Court of the State of New Hampshire convened at the Capitol in the City of Concord, and the representatives elect were called to order by Robert L. Stark, Clerk of the House for the preceding session.

The acting Clerk proceeded to call the roll, and 377 members answering to their names, a quorum was declared present.

On motion of Mr. Rhodes of Walpole:

*Resolved*, That a committee of three be appointed by the Clerk to wait upon His Excellency, the Governor, and inform him that a quorum of the House is assembled and requests his attendance.

The Clerk appointed Mesdames Ramsdell of Nashua, Mahoney of Concord and Mr. Sheridan of Berlin.

His Excellency, the Governor, having been informed that a quorum of the House was assembled, appeared, and the following named ladies and gentlemen, having presented their credentials, were duly qualified by His Excellency as members of the House of Representatives by taking and subscribing to the oath of office agreeably to the provisions of the Constitution.

## ROCKINGHAM COUNTY

Auburn . . . . .	Margaret A. Griffin
Brentwood . . . . .	John H. Dudley
Candia . . . . .	Karl J. Persson
Chester . . . . .	Walter P. Tenney
Danville . . . . .	George W. Shattuck
Deerfield . . . . .	Carl M. Fogg
Derry . . . . .	Ernest P. Barka*
	Kenneth M. Bisbee
	Harry E. Clarke
	Charles H. Gay
East Kingston . . . . .	Guy E. Nickerson
Epping . . . . .	Edmond G. Blair
Exeter . . . . .	Edwin W. Eastman
	Emory P. Eldredge
	C. H. Sayre Merrill
	James C. Rathbone
Fremont . . . . .	Harold L. Jones
Greenland . . . . .	Thornton N. Weeks, Sr.
Hampstead . . . . .	Doris M. Spollett
Hampton . . . . .	Douglass E. Hunter
	Alton P. Tobey
Hampton Falls . . . . .	James H. Thurlow
Kingston . . . . .	Nathan T. Battles
Londonderry . . . . .	Draper W. Parmenter
New Castle . . . . .	Thomas F. McCaffery
Newmarket . . . . .	Arthur A. Labranche
	F. Albert Sewall
Newton . . . . .	George L. Cheney
North Hampton . . . . .	George G. Carter
Northwood . . . . .	Ernest L. Pinkham
Plaistow . . . . .	Mildred L. Palmer
Portsmouth—	
Ward 1 . . . . .	Andrew J. Barrett
	Mary C. Dondero
	Hilda Hundley
	Lise L. Payette
	Ann Sadler
Ward 2 . . . . .	Henry S. Murch, Jr.
	Jeremiah Quirk
	Elizabeth L. Travis



Ward 3 . . . . .	John J. Leary James J. Joyce William J. Wardwell
Ward 4 . . . . .	Thurston A. Smart*
Ward 5 . . . . .	Edward J. Ingraham
Raymond . . . . .	Frank J. Mafera
Rye . . . . .	Manning H. Philbrick*
Salem . . . . .	Walter F. Haigh Anna M. Noyes Howard S. Willis
Sandown . . . . .	Ernest C. Pillsbury
Seabrook . . . . .	Myron B. Felch
South Hampton . . . . .	Frank A. Robinson
Stratham . . . . .	W. Douglas Scamman
Windham . . . . .	Thomas Waterhouse, Jr.

## STRAFFORD COUNTY

Barrington . . . . .	Roy V. Swain
Dover—	
Ward 1 . . . . .	Raymond H. Chase Raymond F. Hennessey* T. Casey Moher
Ward 2 . . . . .	Paul G. Karkavelas L. Hector Desjardins
Ward 3 . . . . .	Levi F. Felker Martha G. Webb
Ward 4 . . . . .	William Henry Connell Harley A. Crandall Frederick C. Pearson, Jr.*
Ward 5 . . . . .	Emmet J. Flanagan
Durham . . . . .	Helen C. Funkhouser Albert D. Littlehale* William M. Stearns*
Farmington . . . . .	Edward J. Mros, Sr. Eugene F. Nute
Lee . . . . .	Aaron W. Chadbourn, Jr.
Madbury . . . . .	Dorothy L. Wentworth
Milton . . . . .	Reuben J. Evans

## Rochester—

Ward 1	. . . . .	Ernest L. Rolfe
Ward 2	. . . . .	Margaret E. Dustin*
		George C. Nadeau
Ward 3	. . . . .	Edgar J. Carignan
Ward 4	. . . . .	Alphonse Lacasse
		Angeline M. St. Pierre
Ward 5	. . . . .	Norma M. Studley
Ward 6	. . . . .	Arnold T. Clement
		Philip J. Estes

Rollinsford . . . . . Fred L. Green

## Somersworth—

Ward 1	. . . . .	Sarkis N. Maloomian
Ward 2	. . . . .	Edward G. Letourneau
Ward 3	. . . . .	Clovis Cormier
Ward 4	. . . . .	John F. Beamis
Ward 5	. . . . .	James F. Malley
Strafford	. . . . .	Albert H. Brown

## BELKNAP COUNTY

Alton	. . . . .	Richmond H. Skinner
Barnstead	. . . . .	Arthur H. McAllister
Belmont	. . . . .	Joseph L. Boutin
Gilford	. . . . .	Edith B. Gardner
Gilmanton	. . . . .	William T. Robertson
Laconia—		
Ward 1	. . . . .	Myron B. Hart
		James P. Rogers
Ward 2	. . . . .	Aime H. Morin
		Alfred W. Simoneau
Ward 3	. . . . .	Elmer S. Tilton
Ward 4	. . . . .	John J. Ballentine
		Peter S. Karagianis
Ward 5	. . . . .	Henry I. Burbank
		David O'Shan
Ward 6	. . . . .	Jack B. Dana
		George Walter Varrell
Meredith	. . . . .	Ruth F. Miner
		Joseph F. Smith
New Hampton	. . . . .	H. Thomas Urie
Sanbornton	. . . . .	Marion H. Atwood
Tilton	. . . . .	Warren F. Metcalf

**CARROLL COUNTY**

Bartlett . . . . .	Earle W. Chandler
Conway . . . . .	Mellen B. Benson
	Elmer H. Downs
	Milburn F. Roberts
Freedom . . . . .	Edward J. Stokes
Madison . . . . .	Guy W. Nickerson
Moultonborough . . . . .	Stewart Lamprey
Ossipee . . . . .	Margretta M. Hayden
Sandwich . . . . .	Reuben N. Hodge
Tamworth . . . . .	Earle H. Remick
Tuftonboro . . . . .	Forrest W. Hodgdon
Wakefield . . . . .	Clarence E. Peaslee
Wolfeboro . . . . .	Joseph P. Ford
	Alonzo Page Weeks, II

**MERRIMACK COUNTY**

Allenstown . . . . .	Edgar A. Baron
Andover . . . . .	Victor E. Phelps
Boscawen . . . . .	Elmer S. Ellsworth*
Bow . . . . .	Wilbur H. Vaughn
Canterbury . . . . .	Albert A. Vogel
Chichester . . . . .	Clifton W. Stevens
Concord—	
Ward 1 . . . . .	Frank J. Dowd
	James P. Ferrin
Ward 2 . . . . .	Alice Davis*
Ward 3 . . . . .	Arthur F. Henry
Ward 4 . . . . .	Clayton F. Colbath
	Lee C. Hancock
	Daniel J. Shea
Ward 5 . . . . .	Clarence Lessels
	Stewart Nelson
Ward 6 . . . . .	George H. Corbett
	Guy Jewett
	Herbert W. Rainie*
	Gertrude E. Saltmarsh
Ward 7 . . . . .	G. Carroll Cilley
	Paul B. Maxham
	Charles J. McKee
	Shelby O. Walker



Ward 8 . . . . .	Victoria E. Mahoney
Ward 9 . . . . .	Howe Anderson
	Joseph J. Comi
Epsom . . . . .	Eleanora C. Nutter
Franklin—	
Ward 1 . . . . .	Basil Broadhurst
Ward 2 . . . . .	James M. Burke
	Theodore E. Kenney
Ward 3 . . . . .	Peter P. Charland
	John P. Dempsey
Henniker . . . . .	Lewis H. Carpenter
Hill . . . . .	George C. Mason
Hooksett . . . . .	Edward M. DuDevoir
	John B. Mulaire
Hopkinton . . . . .	Nathaniel F. Davis
Loudon . . . . .	William H. Brown
Newbury . . . . .	Randolph H. Milligan
New London . . . . .	Paul B. Gay
Northfield . . . . .	Fred G. Wilman
Pembroke . . . . .	Leo G. Payeur
	George D. Thibeault
Pittsfield . . . . .	Mary R. Ayer
	E. Harold Young
Salisbury . . . . .	George H. Lovejoy
Warner . . . . .	L. Waldo Bigelow
Webster . . . . .	Mary E. Bean
Wilmot . . . . .	Don W. Workman

### HILLSBOROUGH COUNTY

Amherst . . . . .	Nelle L. Holmes
Antrim . . . . .	Carl H. Robinson
Bedford . . . . .	Ralph M. Wiggin, Sr.
Bennington . . . . .	Edward C. Black
Brookline . . . . .	Grover C. Farwell
Deering . . . . .	M. Rosamond Herrick
Francestown . . . . .	Clarence C. Jones
Goffstown . . . . .	A. Kenneth Hambleton
	Rufus L. Jennings
	Alfred W. Poore
	Austin H. Reed
Greenville . . . . .	O. John Fortin

Hillsborough . . . . .	Samuel P. Hadley
Hollis . . . . .	Ann J. Goodwin
Hudson . . . . .	Roland W. Abbott
	Roland Latour
	Ned Spaulding
Manchester—	
Ward 1 . . . . .	Richard L. Burgess*
	George A. Lang
	James Pettigrew
	Emile J. Soucy
Ward 2 . . . . .	Harry J. Danforth
	Joseph H. Geisel
	James L. Mahony
	John Pillsbury
	Kenneth W. Robb
Ward 3 . . . . .	Michael J. Dwyer
	James F. Hayes
	Denis Horan
	Thomas F. Sullivan
Ward 4 . . . . .	William J. Fitzgerald
	Dominick J. Kean
	Thomas F. Nolan
Ward 5 . . . . .	Stanley J. Betley*
	Jeremiah B. Healy
	John F. Shea
	George W. Smith
	Edward J. Walsh
Ward 6 . . . . .	John H. Callahan
	Denis F. Casey*
	Edward D. Clancy
	Joseph F. Ecker
	Daniel J. Healy
	James E. Slowey
Ward 7 . . . . .	William Walter Corey
	Charles J. Leclerc
	Adrien A. Paradis
	Alonzo J. Tessier
Ward 8 . . . . .	William H. Craig, Jr.
	Eugene Delisle, Sr.
	Raymond J. Langlois
	George L. Lavoie
	George N. Constant

Ward 9 . . . . .	Beatrice B. Cary Edward W. Morris
Ward 10 . . . . .	George S. Auger Alfred A. Bergeron John J. Kearns Otto Schricker, Sr.
Ward 11 . . . . .	Maurice A. Alexander Walter G. Boisvert George J. Hurley
Ward 12 . . . . .	Amelia Lareau Edward T. Martel* Louis J. Soucy Leon J. O. Vaillancourt
Ward 13 . . . . .	Albert N. Dion Lorenzo P. Gauthier Lucien J. Gelinas Paul M. Lafond Origene E. Lesmerises
Ward 14 . . . . .	Michael J. Cannon Michael S. Donnelly Willibert Gamache
Merrimack . . . . .	Bert L. Peaslee
Milford . . . . .	David Deans, Jr. William M. Falconer Fred T. Wadleigh
Mont Vernon . . . . .	William B. Buckley
Nashua—	
Ward 1 . . . . .	Roland L. Cummings David E. Peterson Alice L. Ramsdell William A. Saunders
Ward 2 . . . . .	George F. Boire Wilfrid G. Thibault
Ward 3 . . . . .	Agenor Belcourt Hector J. Trombley
Ward 4 . . . . .	Winslow P. Ayers Cornelius M. Brosnahan
Ward 5 . . . . .	Albert Maynard George S. Pappagianis
Ward 6 . . . . .	John B. Dionne Frank B. Shea



Ward 7 . . . . .	Arthur J. Chartrain Frank E. Ryan Dennis F. Sweeney
Ward 8 . . . . .	Charles A. Dugas Alphonse A. Dutilly Alfred P. Grandmaison Peter Z. Jean J. B. Henry Langelier
Ward 9 . . . . .	Paul E. Bouthillier Peter Dumais
New Boston . . . . .	Edward F. Locke
New Ipswich . . . . .	Matti P. Aho
Pelham . . . . .	Andrew L. Mailloux
Peterborough . . . . .	Chester F. Dutton Benjamin M. Rice
Temple . . . . .	Herbert A. Willard
Weare . . . . .	Scott F. Eastman
Wilton . . . . .	Frank Howard Bardol

### CHESHIRE COUNTY

Alstead . . . . .	Nelson C. Burnham
Chesterfield . . . . .	Walter J. Post
Dublin . . . . .	Charles R. Thomas
Fitzwilliam . . . . .	Lewis R. Pike
Hinsdale . . . . .	Orson G. Smith
Jaffrey . . . . .	Lenna W. Perry Carl C. Spofford
Keene—	
Ward 1 . . . . .	Charles P. Haley Howard W. Kirk Edward C. Sweeney, Sr.
Ward 2 . . . . .	James E. McCullough Kirke W. Wheeler
Ward 3 . . . . .	Frank J. Bennett Edward E. Brown
Ward 4 . . . . .	Leroy E. Coddington Francis F. Faulkner
Ward 5 . . . . .	Laurence M. Pickett Hugh F. Waling
Marlborough . . . . .	Charles E. Carlton
Marlow . . . . .	John F. Brown

Rindge . . . . .	Harry E. Sherwin
Surry . . . . .	Carl A. Mitchell*
Swanzey . . . . .	Kenneth P. Lane
	John Edward Bouvier
Troy . . . . .	Franklin L. Lang
Walpole . . . . .	Louis S. Ballam
	E. Everett Rhodes
Westmoreland . . . . .	Oscar W. Billings
Winchester . . . . .	Frederick H. Ingham
	Alexander P. Thompson

### SULLIVAN COUNTY

Acworth . . . . .	Glenn N. Bascom
Charlestown . . . . .	Martha McD. Frizzell
Claremont—	
Ward 1 . . . . .	George W. Angus
	Harry Bloomfield
	Arthur F. Howe
Ward 2 . . . . .	William F. Bissonett
	Maurice D. Firestone
	Julia A. Millar
Ward 3 . . . . .	Alfred J. Marcotte
	Clifton Simms
	Robert E. Stone
Cornish . . . . .	Fred Davis
Goshen . . . . .	Walter R. Nelson
Grantham . . . . .	Doris C. Reney
Newport . . . . .	Elsie C. Bailey
	Gladys D. Roe
	Jesse Richard Rowell*
	Joseph D. Vaughan
Plainfield . . . . .	Edward M. Pierce
Sunapee . . . . .	Clifford E. Gamsby
Unity . . . . .	Margaret B. DeLude

## GRAFTON COUNTY

Alexandria . . . . .	Harry B. Ramsey
Ashland . . . . .	Thomas Pryor
Bath . . . . .	Edwin P. Chamberlin
Bethlehem . . . . .	Malcolm J. Stevenson
Bristol . . . . .	Bowdoin Plumer
Campton . . . . .	Philip S. Willey
Canaan . . . . .	Frank B. Clarke
Enfield . . . . .	Isaac H. Sanborn
Hanover . . . . .	Edith P. Atkins
	David J. Bradley
	Elizabeth W. Hayward
	Charles A. Holden
Haverhill . . . . .	Wilfred J. Larty
	Finlay P. Sleeper
Holderness . . . . .	Stanley A. Chamberlain
Landaff . . . . .	George F. Clement
Lebanon . . . . .	Arthur F. Adams
	Jerold M. Ashley
	Forrest B. Cole
	Fred A. Jones
	Joseph B. Perley
	Harry S. Townsend
Lincoln . . . . .	Charles Griffin
Lisbon . . . . .	Rita Collyer
Littleton . . . . .	Van H. Gardner
	Fred Kelley
	Eda C. Martin
Lyme . . . . .	Walter H. Horton
Monroe . . . . .	George L. Frazer, Sr.
Orange . . . . .	Geoffrey W. Talbot
Orford . . . . .	Robert W. Carr
Plymouth . . . . .	Kenneth G. Bell
	Elmer E. Huckins
Rumney . . . . .	Jesse A. Barney
Wentworth . . . . .	Charles A. Gilbert*
Woodstock . . . . .	Thomas F. Sawyer

## COOS COUNTY

Berlin—

Ward 1 . . . . .	Oliver A. Dussault Guy J. Fortier Edgar J. Roy
Ward 2 . . . . .	Arthur J. Russell Frank H. Sheridan
Ward 3 . . . . .	Hilda C. F. Brungot Marie A. Christiansen
Ward 4 . . . . .	Arthur A. Bouchard Jennie Fontaine Rebecca A. Gagnon
Carroll . . . . .	Oscar E. Rines
Colebrook . . . . .	Harry S. Alls
Errol . . . . .	Celia G. Hurlbert
Gorham . . . . .	Harry A. Bishop, Sr. Phillip K. Ross, Sr.
Jefferson . . . . .	Roy A. Ferguson
Lancaster . . . . .	John D. Cornelius Arthur L. Simonds
Milan . . . . .	R. Wilbur Potter
Millsfield . . . . .	Elmer L. Annis*
Northumberland . . . . .	Walter O. Bushey Raymond E. Charbonneau
Pittsburg . . . . .	Harvey H. Converse
Stark . . . . .	Grace M. Phelan
Stewartstown . . . . .	Claude J. Baker
Stratford . . . . .	Bert Stinson
Whitefield . . . . .	Ada C. Taylor

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\* Those marked with an asterisk were not present but appeared and qualified later as will be found in the daily proceedings of the House.

The Clerk called the House to order, and stated that the first order of business was election of a temporary presiding officer.

Mr. Thompson of Winchester placed in nomination Mr. Spaulding of Hudson, and moved his election.

On a *viva voce* vote Mr. Spaulding of Hudson was declared elected temporary presiding officer and was escorted to the Chair by Mr. Soucy of Manchester, Ward 1, and Mrs. Hundley of Portsmouth.

On motion of Mr. Jones of Lebanon the House proceeded to the election of a Speaker.

Mr. Angus of Claremont placed in nomination Mr. Griffin of Lincoln.

Mr. Waling of Keene placed in nomination Mr. Pickett of Keene.

Mr. Pickett of Keene then moved that the election of Mr. Griffin of Lincoln, for Speaker, be made unanimous, and instructed the Clerk to cast one ballot for Mr. Griffin and he was declared elected Speaker, and was escorted to the Chair by Messers Scamman of Stratham, Lamprey of Moultonborough, Young of Pittsfield, and Wadleigh of Milford.

### Speaker's Remarks

#### *Members of the General Court:*

The distinction you have accorded me this day of being your presiding officer is one of which I am not unmindful. To assume a position of such prime importance is a rewarding experience, but such benefits have their correlative burdens. The Speaker is well aware of them. It is not the duties as such which raise fears in his mind. It is simply the fear that he shall not be impartial and fair to all members, be they his colleagues of republican persuasion or his friends with democratic philosophies. It is therefore my pledge to you — all of you — to treat every member with respect and justice. I trust that in the execution of that promise I shall offend no one so that when the session is finally determined I shall be able to walk among you with that goal achieved.

In return I hope that you will regard the position of Speaker as highly as I cherish it. It does stand for a way of life which has been preserved to us: — The free expression of opinion in an orderly manner with due regard to that right in others. Conduct yourselves towards it as solid sincere legislators. Give to it the decency it demands. Render to it the respect that it enlists. It represents the focal point of your deliberations. Do not transgress its proprieties.

It is mere commonplace to remark that this year bids fair to be one of decision in important matters — yet that is the case. So, exercise your good judgment for the benefit of your people. Restrain your tendencies to converse when your associates are speaking. Obey the rule against applauding the

forensic efforts of anyone. Your vote on the current matter is the real manifestation of your feeling as to how well he has done. Approach your committee work with interest and faithfulness. Accommodate yourselves to the business at hand. Listen with an open mind to all witnesses. Beware of specious argument. Find the facts and your decision will honor you.

May I honor the trust you have placed in me.

Mr. Milligan of Newbury placed in nomination for Clerk, Robert L. Stark of Goffstown, Assistant Clerk, Francis W. Tolman of Nelson, for Sergeant-at-Arms, Lloyd E. Fogg of Milan, for Doorkeepers, Mabel Richardson of Randolph, Sherman Greer of Manchester, Bertha Boutwell of Concord and Harry Robinson of Dover.

On motion of Mr. Pickett of Keene the Speaker was instructed to cast one ballot for the above candidates and they were declared elected.

Robert L. Stark, Francis W. Tolman, Lloyd E. Fogg, Mabel Richardson, Sherman Greer, Bertha Boutwell, and Harry Robinson then appeared and were duly qualified by taking the oath as Clerk, Assistant Clerk, Sergeant-at-Arms and Doorkeepers respectively.

ROBERT L. STARK,  
Clerk for 1953-1954.

On motion of Mr. Geisel of Manchester:

*Resolved*, That the Honorable Senate be informed that the House of Representatives has organized by the choice of Charles Griffin, Speaker; Robert L. Stark, Clerk; Francis W. Tolman as Assistant Clerk; Lloyd E. Fogg, Sergeant-at-Arms; and Mabel Richardson, Sherman Greer, Bertha Boutwell, and Harry Robinson as Doorkeepers.

On motion of Mr. Willey of Campton:

*Resolved*, That the House of Representatives will be ready to meet the Honorable Senate at 12:00 o'clock today for the purpose of receiving His Excellency, the Governor, and any communication he may be pleased to make.



### Message from the Senate

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the following resolutions:

*Resolved*, That the House of Representatives be informed that the Senate, having assembled, has organized by the choice of Raymond K. Perkins as President, Benjamin F. Greer as Clerk, Frank M. Ayer as Assistant Clerk, Nathan A. Tirrell as Sergeant-at-Arms, Daniel Cronin as Doorkeeper, and George J. Martin as Messenger, and is now ready to proceed with the business of the session.

On motion of Mr. Skinner of Alton:

*Resolved*, That a committee of five be appointed by the Chair to wait upon His Excellency, the Governor, and inform him that a quorum of each branch of the Legislature has assembled and is ready to receive any communication he may be pleased to make.

The Speaker named as such committee: Messrs. Tilton of Laconia, Hambleton of Goffstown, Mrs. Hundley of Portsmouth, Mrs. Atkins of Hanover and Mr. Kearns of Manchester.

### Joint Convention

The Honorable Senate then came in and the two branches being in convention, Mr. Tilton of Laconia for the committee reported that the committee appointed to wait upon His Excellency, Hugh Gregg, Governor, had attended to their duty and that His Excellency, the Governor, had a communication which he desired to make.

His Excellency, the Governor, with the Honorable Council, then appeared and delivered the following message:

### EXAUGURAL ADDRESS OF HIS EXCELLENCY, HUGH GREGG, GOVERNOR OF NEW HAMPSHIRE, DELIVERED TO THE GENERAL COURT ON WEDNESDAY, JANUARY 5, 1955

*Mr. Speaker, Mr. President, Members of the General Court:*

#### Greetings

Once again, welcome to your State House and to the offices of this vast business which you guide.

Today I greet many old friends with affection. To those of you who sit here for the first time, I extend my best wishes and



the hope that you may receive the same pleasure and satisfaction from state service which has been given to me.

### Introduction

Two years ago I stood here as the incoming Governor. At that time, I asked the Legislature to have faith in New Hampshire. I said then that, working together, we could use our resources to promote a stronger state economy without adding further tax burdens on the people of our state. I warned against those who cried that only with major new taxes could we care for our sick and indigent, increase aid to education, provide better pay for state employees, maintain healthy regulatory and police powers and furnish adequate government. I said that with frugality, careful planning and complete cooperation, we could do all these things within existing sources of state income.

The Legislature agreed with me. In one of the shortest sessions in a generation, the General Court adopted the budget presented to it with as few changes as any Legislature has enacted in many years. I shall always be grateful for the cooperative spirit and trust which your predecessors gave me. No Governor could have been given greater understanding and consideration by a Legislature than I received.

I treasure deeply the many friendships and the fellowship which I associate with this Hall, especially with my able successor, The Honorable Lane Dwinell. His thoughtful counsel, always willingly given, has been a constant source of strength. Our beloved State is indeed fortunate that it will have the full benefit of his experience, wisdom and foresight during the next two years. I know his Administration will be marked by many worthwhile contributions to the progress and welfare of all of us.

Now I propose to report briefly on certain matters which were not covered in detail by my address to you at the time of your Special Session in April.

First, because new statute books cannot be printed until you approve the report of the Commission on Revision of Statutes, its recommendations warrant your prompt consideration.

### Finances

I am happy to tell you that, except for its Capital Construction Program, the State has operated on a pay-as-you-go basis for the past two years and has not expended surpluses to balance its budget. The surplus in your State Treasury right now is greater than that of two years ago. The major contributing factors in this encouraging financial picture have been savings from the careful planning of State departmental expenditures and our conservative estimates of revenue.

Furthermore, as of the end of the last fiscal year, there were no departmental overexpenditures. This means there will be no deficiency bills introduced into this legislative session, other than those for the unpredictable requirements of the retirement funds. Essential services have not been curtailed. Rather, each department has conscientiously lived within its budget as established by the Legislature — and that has not been the case for many years.

Nor has the Emergency Fund, provided by the Legislature for expenditures by Governor and Council, been spent to cover situations which prudence and good management could avoid. Instead, we are returning the emergency monies to the State Treasury substantially intact. Nor, in your absence has the Governor and Council created a lot of new jobs. In fact, since the adoption of the current biennial budget, we have permitted the establishment of a net gain of only one new position in state service.

So much for state finances. I asked the Legislature for what I believed to be adequate funds within the limits of existing revenue. The Legislature provided the sums requested. I have followed the dictates of this body in the spirit and the letter of the law, and we have spent at the level for which the Legislature appropriated. That is the way it should be in a government such as ours, based on a separation of powers, and that is the way it has been.

### Highways

Our new turnpikes are the products of our own Highway Department engineers, and are being built at the lowest overall construction cost, per mile, of any toll facilities in the nation. What is more, they are being financed by self-liquidating bond issues which are being sold at the lowest rate of interest of any toll road in the country. That the nation's bankers have com-

plete confidence in New Hampshire's debt structure is further reflected by the fact that we are one of only a dozen other states which enjoy a Triple A Credit rating.

While the turnpikes are only a small part of the over-all public road program, and I do not mean to minimize other current highway deficiencies, our normal highway projects have also been carried out substantially as planned two years ago, despite a major flood, severe hurricane damage, and an emergency in New Castle requiring two bridges at a cost of nearly a million dollars. Last year our Seacoast Expressway was the safest high-speed road in the United States. What is more, we are making friends at the rate of about 9,000 persons a month by assisting motorists in various ways from changing tires to removing overly hospitable New Hampshire bears who tie up tourist traffic.

### Promotion

In regard to state advertising, even with the advertising program reactivated by this Administration, our State is providing less than 10 per cent of the funds that are used to buy advertising space for New Hampshire in the metropolitan papers of Boston, New York and other cities. The great bulk of such space is purchased by private Granite State resort operators and regional groups. Yet, the State's part is important and furnishes the leadership necessary to get the full benefits from any over-all, integrated advertising effort.

Within the limits of its present budget, the Commission has been able to hire an Executive Director for the department and to organize its staff activities to achieve more effective action. A very fruitful publicity program has been carried out. Planning assistance of great value has been afforded the towns and regions of the State. Profitable participation in shows and exhibits has been made possible. Even "Whooperism" has attracted nationwide press, radio, and television coverage, as well as such prominent participants in the program as our great President and General Douglas MacArthur; — yes, and, at a time when he had his highest "Hooper" rating, even Arthur Godfrey.

In the field of industrial promotion, New Hampshire is doing an outstanding job on very limited funds. I do not suggest that we are doing as well as we must do to hold our own in this very competitive task of keeping our existing industries and

attracting new ones. But we have been able to create more jobs than we have lost. We have succeeded in stirring considerable activity and interest at the community level. The Industrial Advisory Committee has shown unique initiative and imagination in the Hooksett area by the development of the largest, most complete industrial park in the northeast.

### Civil Defense

The unprecedented forest fires, floods and destructive hurricanes we have experienced during the past two years emphasize the wisdom and foresight of the Legislature in providing that the resources of Civil Defense be available in cases of natural disaster as well as in an emergency caused by enemy attack. Because we have an active and increasingly effective Civil Defense organization, we have been frequently commended by the Federal Government. The integration and efficiency of our Civil Defense operating plan was magnificently illustrated last month by the search and rescue mission accomplished for the downed airliner on Mount Success.

Since my Inaugural two years ago, the international situation has subsided from the extreme tension that existed during the hostilities of the Korean War. But let us not be deceived. All the factors that then contributed to the world danger are still present in as great a degree. In fact, the capability to deliver a ruthless, surprise attack has been increased by the continued development of high-speed, long-range bombing planes capable of carrying the most destructive nuclear bombs and delivering them to targets anywhere in our country. To that arsenal of offensive weapons must now be added Intercontinental Ballistic Missiles.

Previously, because of its large rural areas and absence of critical targets, New Hampshire was considered safe from direct attack. This is no longer the case! When missiles are launched continents away, an infinitesimal error in aim may easily result in projectiles which were intended for Boston, or even New York, striking anywhere in our state. To that must be added the vastly increased danger of radiation fall-out from thermo-nuclear bombs which will blanket surrounding areas for a distance of many miles. And who can foresee the dangers attendant upon chemical and bacteriological warfare which will be directed at the very sources of our continued existence?



Certainly as long as the conflict between the free world and the Communist world exists and weapons of mass destruction aimed at our cities and centers of civilian population are the accepted means of waging war in this Atomic Age, every citizen of this State must do his or her part to prepare for disasters. Even as we pray that we may be spared the horrors of Atomic, Bacteriological and Chemical Warfare, the dread ABC's of to-day, we must realize there are no more ocean barriers to protect us. No community is too small or too isolated to feel the impact of modern war. We must continue to strive for the active participation and training of every Granite State man, woman, and child in their own defense — which is Civil Defense.

### National Guard

The development and maintenance of a strong and virile national defense is vital to the security of this Nation. Inasmuch as our National Guard is an important, integral part of the National Defense Organization, we can feel just pride in its steady and continuing growth. During the past biennium, under the aggressive leadership of the Adjutant General, our Army Guard has grown from 1,993 officers and men to 2,968, an increase of nearly 1,000. Our Jet Fighter Interceptor Squadron, reactivated upon its return from Korean War Duty in 1952, now has a strength of 342 officers and men, making a total complement of 3,310 New Hampshire citizen soldiers. Since the First World War, this is the greatest strength the New Hampshire National Guard has ever attained.

### State Employees

To work with those who have been my fellow employees in State service has been one of the great privileges of serving as Governor. Too few of our citizens realize the tireless and unselfish devotion of these state servants whose life work it is to carry out the decisions of this Legislature.

Now, with the experience of working beside them, it is with even greater satisfaction that this Administration recommended increasing the salaries of these many loyal people and lessening the inequity of the long working hours for some of them. We established a procedure of making cash awards for those employees' suggestions which show initiative and result in more effective service. Furthermore, I know our older State employees are grateful for the recognition which has come to them as

a result of our new program providing for the presentation of Certificates of Appreciation to those who have served the State for 15 years, silver pins for those with a quarter century of state employment, and gold pins to those with 35 or more years of faithful devotion to the problems of his fellow citizens. It was with amazement that I discovered in some larger departments, such as State Police, better than 50 per cent of our personnel have 15 years or more of State service. Such unprecedented loyalty of our employees is perhaps best illustrated by the fact that our over-all labor turnover today is approximately half that of the average large industry.

New Hampshire is indeed fortunate with the generally high caliber of its approximately 4,000 men and women in State employ. Without any reservations whatsoever, I can assure you our public officials are giving a full measure of service, with devotion and intelligence. It is with real regret that I must now terminate the close association which I have enjoyed with my fellow State employees during the past two years. I sincerely thank them for their particular achievements during my administration which have brought both to me and the State of New Hampshire a confident feeling of pride and accomplishment.

### Subversive Activities

The subversive probe, conducted by this Administration has disclosed that 131 New Hampshire residents, at one time or another, have been Communist Party members. One hundred thirty witnesses have been interrogated, under oath, and innumerable others interviewed informally. Sixteen refused to answer questions regarding their own possible Communist Party membership, and, of these, 13 have been shown to have been active in the Communist Party at some time.

The investigation has revealed that at least 81 per cent of the witnesses claiming the privilege against self-incrimination had Communist Party backgrounds. Estimates of maximum Communist Party membership in New Hampshire during any one period vary between 50 and over 100.

I commend to you the careful reading of the Attorney General's report. The clear and present danger of Communism exists even here in New Hampshire. The Federal Government and other states have acted wisely in protecting themselves against the menace of this ruthless conspiracy. Although the Attorney General does not recommend such action, I, for one,

am convinced that in New Hampshire, too, the Communist Party should be outlawed.

### **New Hampshire's Assets**

Standing here to deliver a final word as your Governor, there is a natural tendency for my remarks to assume the flavor of a last will and testament. I hope I am not to be buried. But, I am strongly of a mood to bequeath. If there is one thing I would wish you to have as you start your task of planning for the next biennium, it is the quality of perspective so that you may view your State in all its strengths and weaknesses and build firmly a better order.

For two years, and it seems to me in retrospect a far shorter time, I have lived intimately with New Hampshire; with its government, of course, but also with its people; its industry; its commerce; its agriculture; its geography and its history as well. And, I would like to pass on to you the feeling I have developed for a State that is finer than any in this union of states.

To begin with, no state has a history richer in its contributions to the life of this nation. Here, more than three centuries ago, the settlers came to carve their farms and roads out of a wilderness, to build their churches, factories and colleges. Here representative and constitutional government existed before the nation was founded. Here industry first flourished on this continent. Here freedom first found expression in the lives of common men. We live in a great tradition that will be a source of inspiration and determination for ourselves and all generations to come. Our past is an asset of incalculable value which must never be forgotten, and I most deeply hope that you will continue the efforts of your predecessors to acquire and preserve the buildings and lands of historical significance that can help to keep our past a living reality.

The boundaries of New Hampshire confine a land area of small size and of few mineral resources. No natural fuels or precious ores are found in commercial quantities. Yet, no one can call this land impoverished. Its rugged beauty is a priceless asset. It enriches the lives of all who live here. It draws the tourist from all corners of the earth to provide a source of income, second only to that furnished by industry. The work that has been done to give New Hampshire as fine a park and recreational development as any found in the east should be

extended by projects which can support themselves on a long range basis.

The geographic situation of this state is a fortunate one. As a member of the New England group, New Hampshire is part of the most productive industrial area on earth and is well within reach of the greatest market of the United States. Still unrealized are the benefits this State will derive from the imminent industrial boom of the Canadian provinces directly to the north. There has been far too much talk of the distance of this State from the geographic center of the United States and far too little appreciation of the favorable situation we hold in an area of the North American continent that has yet to see its most prosperous years.

As a place for people to live and work, this State offers great opportunities as well as some difficult problems of adjustment and transition; but, I want to mention some of the positive signs of strength which are apparent today:

First — There are as many people in the State now as at any period of history. From the decade 1940 to 1950, we experienced an 8 per cent growth in population. There is nothing in the records of this State to support the findings of a federal agency that population has dipped since 1950. I caution you against reliance on mid-term estimates that have proved unreliable in the past. I am sure that the next regular decennial census in 1960 will show continued population growth.

Second — Payroll and savings in New Hampshire are at an all-time high. The cash income of the people of this state gives them a per capita income greater than that found in more than half of the states of the Union. The natural thrift of the people has provided per capita savings double the national average.

Third — The stability of New Hampshire income leads the nation. In terms of the percentage of total income derived from industry, we are the eighth most industrialized state in the Union. Over our long history as an industrial state, we have achieved wide diversification. More than 1,000 of our 1,400 industries have an employment of less than 25 people, which gives this State its unique stability which is the envy of areas depending largely on one or two major industries.

Fourth — New Hampshire is a growing State. With all the losses of industry, which we have experienced, and we have had serious setbacks in several communities, the average non-



agricultural employment of the State has increased during the 10 years from 1943 to 1953 by more than 22 per cent. In that same period, payrolls associated with these jobs have grown by more than 126 per cent.

Fifth — New Hampshire is experienced in the problems of transition required by a maturing economy. The Manchester story, the Nashua story and the experience of other cities and towns has been told time and again to show how a community meets the loss of a major industry without suffering a setback to its economic growth. These histories of what New Hampshire communities have done in the depression thirties and the post-war forties have inspired other hard-hit communities of this nation. Our experience surely enables us to say, "We know what we can do to help ourselves."

### **New Hampshire's Liabilities**

With these assets on the plus side, let's look at the liabilities:

First — A prosperous agriculture is necessary to our full development, and the last few years have not been easy ones for the farmer. Even in this field, however, it is significant that our State has not seen the absolute loss of income which farmers have experienced in the other New England States. Yet, neither have we seen the growth and progress we want and ought to see. A properous farm economy means far more than just dollars in the pockets of farm families. It means good food and rich milk on the tables of our industrial workers. On the technical level, our farm community is equipped to produce the best in abundant quantities. But better methods of distribution have got to be worked out, and greater acceptance of New Hampshire products must be accomplished. I hope you will give serious consideration to an experiment in farm product promotion which began last June within the Planning and Development Commission, but for which funds are provided only until March. The State should give leadership to the co-operative efforts of the farm community.

Second — For many years to come the people of New Hampshire are going to be facing a serious problem of providing jobs and income for its young people. The opportunities that exist here must be promoted to the fullest extent in a sales program that will call for the full imagination and effort

of all of us. Present industry must be treated with fairness and consideration. Prospective industry must be lured by cooperation and willing assistance. It is no easy task to compete with the dynamic spirit of all Americans to promote our fair share of prosperity in New Hampshire, but I believe that fully half the task is a matter of education, conviction and self-confidence.

Third, and finally — In the field of government, the problems of tomorrow are the problems of today and yesterday, and they will be always with us. For example, I firmly believe the complexities of modern government necessitate the extension of our present two-year gubernatorial term to four years as has been done in the large majority of other states. In a changing and living society, constant review is necessary to provide equitable taxation, adequate highways, improved school facilities, proper regulation and police power, efficient government management and the unfettered liberties of free men and women. These problems are your today, as they were your father's in 1776 and 1865, and, as they will be your children's tomorrow.

### Conclusion

In concluding, as I take at least temporary leave from public office after seven years of service, may I express the sincere wish that this New Year brings to each of you, and to all of us, peace, enough of this world's goods for our needs, and a desire to serve our God, our country, our State and our neighbors honestly and unselfishly.

In Stephen Vincent Benet's great story of "The Devil and Daniel Webster," a problem was faced on New Hampshire soil, pitting the resources of a New Hampshire farmer and the great Black Daniel against the wiles of Satan himself. Benet commented: "If two New Hampshire men aren't a match for the devil, we might as well give the country back to the Indians."

With this thought thoroughly subscribed to, and with full confidence in your competence as New Hampshiremen, I wish you Godspeed in your deliberations.

On motion of Senator McMeekin of District No. 3 the convention rose.

### House

On motion of Mr. Pillsbury of Manchester:

*Resolved*, That the Senate and House of Representatives in convention assembled this fifth day of January, 1955, have listened with gratification to the message of Governor Hugh Gregg and hereby express to him the high esteem in which we hold him and his conduct of his office, and be it further

*Resolved*, That the Clerk be instructed to procure 600 copies of his address in pamphlet form.

On motion of Mr. Young of Pittsfield:

*Resolved*, That the Honorable Senate be informed that the House of Representatives will be ready to meet the Senate in Joint Convention for the purpose of canvassing the votes for Governor and Councilors agreeably to the Constitution and for the election of a Secretary of State and State Treasurer.

The Speaker declared a recess.

### After Recess

#### Message from the Senate

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had adopted the following resolution:

*Resolved*, That the House of Representatives be informed that the Senate will be ready to meet the House in joint convention for the purpose of canvassing the votes for the Governor and Councilors agreeably to the provisions in the Constitution at 12:00 o'clock, and for the election of a Secretary of State and State Treasurer.

### Joint Convention

The Honorable Senate then came in and the two branches being in convention, on motion of Mrs. Brungot of Berlin:

*Resolved*, That the Honorable Secretary of State be requested to lay before the convention the returns of the votes for Governor and Councilors, and the returns of votes for and against the necessity of calling a constitutional convention in the last election.

The Honorable Secretary of State then appeared and laid before the convention the returns of the votes for Governor and Councilors, and the returns of votes for and against the

necessity of calling a constitutional convention in the last election.

On motion of Senator Adams of District No. 22:

*Resolved*, That the vote for Governor and Councilors, and the returns of votes for and against the necessity of calling a constitutional convention, be referred to a committee consisting of one on the part of the Senate and two on the part of the House to compare and count the same and report thereon.

The Chairman named as such committee: Senator Adams of District No. 22; Mr. Deans of Milford, and Mrs. St. Pierre of Rochester.

### Report of Committee

Senator Adams of District No. 22 for the joint committee to whom was referred the return of the votes cast for Governor and Councilors and the returns of votes for and against the necessity of calling a constitutional convention, in the last biennial election, reported that it had examined, compared and counted the same, with the following result:

#### For Governor

	DWINELL	SHAW
Rockingham	17,591	9,358
Strafford	8,964	11,420
Belknap	6,433	3,631
Carroll	4,886	1,370
Merrimack	14,542	9,015
Hillsborough	25,612	34,493
Cheshire	7,612	4,628
Sullivan	5,368	3,874
Grafton	10,136	3,941
Coos	6,143	5,614
Totals	107,287	87,344

Lane Dwinell having a plurality of all votes, was elected Governor.

#### FOR COUNCILORS

##### First District

Parker M. Merrow, Ossipee, r . . . . . 20,398

**Second District**

Charles T. Durell, Portsmouth, r . . . . .	23,539	
Harold E. Wentworth, Dover, d . . . . .	17,821	
	<hr/>	
Plurality for Durell . . . . .		5,712

**Third District**

Romeo J. Champagne, Manchester, d . . . . .	23,356
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**Fourth District**

Frederic H. Fletcher, Milford, r . . . . .	20,007	
Louis M. Janelle, Nashua, d . . . . .	18,707	
	<hr/>	
Plurality for Fletcher . . . . .		1,300

**Fifth District**

John P. H. Chandler, Jr., Warner, r . . . . .	23,876	
Donald W. Cushing, Franklin, d . . . . .	14,037	
	<hr/>	
Plurality for Chandler . . . . .		9,839

**Vote on the Constitutional Convention Question  
Election on November 2, 1954**

	YES	NO
Rockingham	7,024	6,358
Strafford	6,318	3,477
Belknap	2,705	1,963
Carroll	1,385	1,373
Merrimack	6,284	5,385
Hillsborough	27,385	9,236
Cheshire	3,369	2,526
Sullivan	3,048	2,037
Grafton	3,582	3,149
Coos	3,713	1,993
	<hr/>	<hr/>
Totals	64,813	37,497

The report was accepted.

On motion of Mr. Cole of Lebanon:

*Resolved*, That a committee of seven be appointed by the Chair to wait upon the Honorable Lane Dwinell and inform him officially of his election as Governor of the State of New



Hampshire, and that the Senate and House of Representatives are ready to receive any communication from His Excellency at such time as he may desire.

The Chairman appointed as members of such committee: Senator McMeeken of District No. 3 and Senator Caron of District No. 17 and Messrs. Cole of Lebanon and Downs of Conway, Mrs. Miner of Meredith, Mr. Malley of Somersworth, and Mr. Pickett of Keene.

On motion of Mr. Wadleigh of Milford:

*Resolved*, That a committee of five be appointed by the Chair to wait upon the Councilors: Parker M. Merrow, Charles T. Durell, Romeo J. Champagne, Frederic H. Fletcher and John P. H. Chandler, Jr., and inform them officially of their election to the Honorable Council.

The Chairman appointed as members of such committee: Senator English of District No. 11 and Senator Landers of District No. 10 and Mr. Wadleigh of Milford, Mr. Plumer of Bristol and Mrs. Fontaine of Berlin.

On motion of Mr. Converse of Pittsburg:

*Resolved*, That the convention proceed with the election of a Secretary of State.

Mr. Converse of Pittsburg placed in nomination Mr. Enoch D. Fuller as Secretary of State.

Mr. Pickett of Keene moved that the nominations for Secretary of State be closed and that the Clerk be instructed to cast one ballot for Mr. Enoch D. Fuller.

On a *viva voce* vote the motion prevailed.

The Chairman declared Mr. Enoch D. Fuller elected as Secretary of State.

Mr. Pillsbury of Manchester offered the following resolution:

*Resolved*, That the convention proceed with the election of a State Treasurer.

Mr. Pillsbury of Manchester placed in nomination Mr. Alfred S. Cloues as State Treasurer.

Mr. Pickett of Keene moved that the nomination for State Treasurer be closed and that the Clerk be instructed to cast one ballot for Mr. Alfred S. Cloues.

On a *viva voce* vote the motion prevailed.

The Chairman declared Mr. Alfred S. Cloues elected as State Treasurer.

On motion of Senator Cleveland of District No. 7 the convention rose.

### House

On motion of Mr. Hart of Laconia:

*Resolved*, That the Speaker of the House be authorized to appoint one custodian of mail and supplies, one warden of the coat room, one assistant warden of the coat room, one library messenger, one telephone messenger, five pages and one page to the Speaker.

On motion of Mr. Frazier of Monroe.

*Resolved*, That a committee of ten members, one from each county, be appointed by the Chair to select some suitable person to act as Chaplain during the present session of the Legislature and report such selection to the House for consideration.

The Chair appointed on such committee: Mr. Frazier of Monroe, Mrs. Millar of Claremont, Mr. Ballantine of Laconia, Mr. Downs of Conway, Mr. Alls of Colebrook, Mr. Walker of Concord, Miss Spollett of Hampstead, Mr. Bemis of Somersworth, Mr. Ecker of Manchester, and Mr. Bennett of Keene.

On motion of Mr. Mafera of Raymond:

*Resolved*, That a committee of three be appointed by the Speaker to assist the Clerk in providing as soon as possible 1000 paper bound copies and 500 cloth bound copies of the Legislative Manual in substantially the same form and binding as that of 1953.

The Speaker appointed as members of such committee: Messrs. Mafera of Raymond, Bell of Plymouth, and Waling of Keene.

On motion of Mr. Pillsbury of Manchester:

*Resolved*, That the Rules of the House of Representatives and the Joint Rules of the Senate and House of Representatives adopted by the Session of 1953 be adopted by the present session.

On motion of Mr. Davis of Hopkinton:

*Resolved*, That the Speaker appoint a committee of three to assign seats to the members.

The Speaker appointed on such committee: Mr. Hart of Laconia, Mr. Soucy of Manchester, Ward 1, and Mr. Davis of Hopkinton.

On motion of Mr. Faulkner of Keene:

*Resolved*, That the Clerk, with the approval of the Speaker, may employ such stenographic and other clerical assistance as they may deem necessary to be as follows: Speaker's stenographer, stenographer for Judiciary Committee, stenographer for Appropriations Committee, mileage Clerk, three stenographers for the House, one messenger for Judiciary Committee and one messenger for the Appropriations Committee, and a clerk's messenger.

On motion of Mr. Angus of Claremont:

*Resolved*, That the Speaker be authorized to appoint a committee of three to procure and assign suitable hearing rooms for various committees of the House.

The Speaker appointed on such committee: Mr. Scamman of Stratham; Mrs. Holmes of Amherst and Mr. Payeur of Pembroke.

### Majority Floor Leader

The Speaker announced that for this session the duties of majority leader will be performed by Mr. Pillsbury of Manchester.

### Communication

The Speaker read the following letter:

January 5, 1955

HON. CHARLES GRIFFIN

Speaker, N. H. House of Representatives  
State House, Concord, New Hampshire

*Dear Mr. Speaker:*

I have the honor to transmit herewith my report of the results of investigations conducted pursuant to the authority of Laws of 1953, chapter 307, together with recommendations for legislation believed to be necessary in the public interest.

Respectfully,

LOUIS C. WYMAN,  
*Attorney General.*

The report was accepted.



### Concurrent Resolution

Mr. Pillsbury of Manchester offered the following Concurrent Resolution:

*Whereas*, the Attorney General has filed with this General Court his report of his investigation of subversive matters, as provided by chapter 307 of the Laws of 1953, and

*Whereas*, the members of the General Court have been or will, by Tuesday, January 11th, be furnished with copies of such report, now therefore be it

*Resolved by the House of Representatives, the Senate concurring*: That any surplus copies of said Report be lodged in the office of the Attorney General and said Attorney General be and hereby is authorized and directed to make such distribution of said copies as may seem to him to be in the public interest.

On a *viva voce* vote the resolution was adopted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

### Concurrent Resolution

*Whereas*, the Attorney General has filed with this General Court his report of his investigation of subversive matters, as provided by chapter 307 of the Laws of 1953, and

*Whereas*, the members of the General Court have been or will by Tuesday, January 11th, be furnished with copies of such report, now therefore be it

*Resolved by the House of Representatives, the Senate concurring*: That any surplus copies of said Report be lodged in the office of the Attorney General and said Attorney General be and hereby is authorized and directed to make such distribution of said copies as may seem to him to be in the public interest.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Danforth of Manchester, House Bill No. 1, An Act providing for the assessment and collection of a special head tax for state purposes. To the Committee on Ways and Means.

By Mr. Danforth of Manchester, House Bill No. 2, An Act relative to tobacco tax on sale of cigarettes. To the Committee on Ways and Means.

By Mrs. Noyes of Salem, House Bill No. 3, An Act relative to pari mutuel pools and payment to towns and cities for race meets therein. To the Committee on Ways and Means.

By Mr. Plumer of Bristol, House Bill No. 4, An Act providing for local option for towns on the question of use of firearms in hunting deer in said town. To the Committee on Municipal and County Government.

By Mr. Wiggin of Bedford, House Bill No. 5, An Act validating certain proceedings of the Bedford School District. To the Committee on Executive Departments and Administration.

By Mr. Donnelly of Manchester, House Bill No. 6, An Act providing for exemption from payment of poll taxes for veterans of the Korean conflict. To the Committee on Military and Veterans' Affairs.

By Mr. Remick of Tamworth, House Bill No. 7, An Act providing a bounty on raccoon. To the Committee on Fish and Game.

By Mr. Jones of Lebanon, House Bill No. 8, An Act relative to causes for divorce. To the Committee on Judiciary.

By Mrs. Studley of Rochester, House Bill No. 9, An Act relating to abandoned iceboxes. To the Committee on Executive Departments and Administration.

By Mrs. Frizzell of Charlestown, House Bill No. 10, An Act relative to the designation of bargaining agencies for employees. To the Committee on Labor.

By Mr. Rowell of Newport, House Bill No. 11, An Act relative to forest lands under the jurisdiction of the Forestry and Recreation Commission. To the Committee on Resources, Recreation and Development.

By Mr. Hart of Laconia, House Bill No. 12, An Act authorizing an interstate compact relating to flood control of the Merrimack River. To the Committee on Resources, Recreation and Development.

By Mr. Crandall of Dover, House Bill No. 13, An Act relative to mileage for members of the legislature. To the Committee on Transportation.

By Mr. Crandall of Dover, House Bill No. 14, An act requiring a new registration of voters in the City of Dover. To the special committee consisting of the Delegation from the City of Dover.

By Mr. Milligan of Newbury, House Joint Resolution No. 1, Joint Resolution in favor of Harry J. Ring. To the Committee on Appropriations.

On motion of Mr. Wadleigh of Milford:

*Resolved*, That the rules of the House be so far suspended as to allow business in order at 3 o'clock to be in order at the present time.

On motion of Mrs. Gardner of Gilford at 1:25 o'clock the House adjourned.

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THURSDAY, JANUARY 6, 1955

The House met at 11:00 o'clock.

Prayer was offered by Rabbi Michael Szenes of Concord.

O Lord, our Creator and Creator of the beauty and bounty which surround us in this blessed land, we thank Thee for our goodly heritage of mountains, rivers and lakes, for the grass of our pastures and fruit of God's land, for the granite of our hills and for the tools of our shops and factories — for all that contributes to the well-being of man.

O God, who art Liberator and Redeemer, Father of freedom and the inspiration of those who dedicate their lives to the search for truth, attainment of justice and of liberty, we thank Thee for the daring pioneers who laid down the foundations of our cities and towns, and of the rights and liberties of their citizens.

To those who are here assembled to assume the sacred trust and responsibility as guardians of this heritage of freedom, grant we pray, wise and understanding hearts that they may discern between good and evil, and give them vision and courage that they may ever strive to better the good and to lessen the evil.

Do Thou instruct them out of Thy law that they may judge, legislate and administer all affairs of our state in justice and equity, that peace and security, happiness and prosperity, right and freedom, may forever abide in our midst. By their acts as public servants and by their example as our chosen leaders, may they advance the cause of unity and understanding among citizens of all races, creeds and honest and loyal religious and intellectual convictions, encouraging us to keep out of our midst all manner of hatred, bigotry and discrimination; teaching us to reconcile rather than suppress differences of opinion . . . in the true spirit of Americanism which recognizes Thine image, O God, in every man and humbly and gratefully accepts the gifts each one of them brings to our nation's life and culture.

Under Thy guidance and with their leadership, may this state be an influence for good throughout the nation and the world, hastening the day when life, liberty and the pursuit of happiness will be granted unto all Thy children everywhere, and when Thine ancient benediction will be universally fulfilled:

The Lord bless thee and keep thee

The Lord let His face to shine upon thee and be gracious unto thee

May He lift up His Face unto thee and give thee peace—Amen.

### Leaves of Absence

Mr. Roberts of Gilmanton was granted leave of absence for the day on account of illness.

Mr. Mason of Hill was granted leave of absence for the day on account of important business.

The Speaker read the following notice:

### County Convention

#### Chapter 44

Section 5 as amended by Laws of 1945, Chapter 172.

5. *Members.* The county convention shall consist of the representatives and delegates of the towns of the county. They shall meet on the second Wednesday of each biennial session of the General Court, or some other day in the same week, choose a chairman, clerk and an executive committee. The chairman

and the clerk of the delegation shall be members of the executive committee *ex-officio*.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had adopted the following resolution:

*Resolved*, That the Senate will be ready to meet the House of Representatives in joint convention as suggested by the House Message at 11:50 o'clock for the purpose of receiving His Excellency, the Governor, and any communication that he may be pleased to make, and for the transaction of any other business that may properly come before such convention.

### Presentation

Mrs. Martin of Littleton rose and presented the Speaker with a beautiful bouquet of flowers.

The Speaker declared a recess.

### After Recess

### Joint Convention

The Honorable Senate then came in and the two branches being in Convention, Mr. Cole of Lebanon offered the following report:

The Joint Committee appointed to wait upon Honorable Lane Dwinell and inform him officially of his election as Governor of the State of New Hampshire reports that it has attended to its duty; that the Governor-elect has accepted said office and will meet the Senate and House of Representatives in convention at the earliest convenient time to take the oath of office and make such communication as he deems proper.

The report was accepted.

Senator Landers of District No. 10, for the Joint Committee, offered the following report:

The Joint Committee appointed to wait upon Parker M. Merrow, Charles T. Durell, Romeo J. Champagne, Frederic H. Fletcher and John P. H. Chandler, Jr., and inform them officially of their election to the Honorable Council, reports that it has attended to its duties, and that the gentlemen named have accepted the office.

The report was accepted.



### Invocation

Invocation was offered by the Reverend Cornelius Feisch of the First Congregational church of Lebanon:

Our Father, Who knowest the hearts of men and women, before Whom we this day meet in solemn obligation, grant us Thy most precious blessing — Thy presence — as we seek officially to set apart our leader, the Governor of our State.

In a sense, Thou Eternal Friend, we need Thee in a special way today, because we want to make articulate the very thoughts of our heart. Grant that the proceedings of this hour may open up to all of us the challenge of this great moment in our history.

Give to Lane Dwinell a double portion of Thy spiritual power, and grant him the strength to carry his high purposes out, to keep him as he seeks to hold the people of our State in the direction of true greatness.

And then, our God, when we have publicly set our seal of hopes and trust and faith upon our leader, may we the people so govern our actions and our imaginations that Governor Lane Dwinell shall feel we are worthy of the very best we expect to find in him.

Through Jesus Christ our Lord. Amen.

The Governor-elect, attended by the Council-elect, then came in, and the Honorable Lane Dwinell, Governor-elect, then took and subscribed to the oath of allegiance before the President of the Senate and in the presence of both branches of the Legislature, whereupon the Honorable Raymond K. Perkins, President of the Senate, made proclamation as follows:

Lane Dwinell, having been duly elected Governor of New Hampshire, accepted the office and taken the oaths prescribed by the Constitution, I do hereby declare and proclaim His Excellency, Lane Dwinell, Governor of the State of New Hampshire, to hold office during the period prescribed by the Constitution and the Laws of the State, and I present Your Excellency with a copy of the Constitution of the State as a guide in the discharge of your official duties.

The Honorable Council, Parker M. Merrow, Charles T. Durell, Romeo J. Champagne, Frederic H. Fletcher, and John P. H. Chandler, Jr., then took and subscribed to the oath of allegiance before His Excellency, Governor Lane Dwinell.

His Excellency, Governor Lane Dwinell, then read the following message:

**INAUGURAL ADDRESS  
OF HIS EXCELLENCY LANE DWINELL  
GOVERNOR OF NEW HAMPSHIRE  
TO THE GENERAL COURT  
At Noon, January 6, 1955**

*Mr. Speaker, Mr. President, Members of the General Court:*

Honor without trust is hollow indeed.

The honor has already come to me by being made Governor of New Hampshire.

For the term of my trust, I will give all that is within me to be worthy of this grave responsibility.

My pride in addressing this 134th General Court is increased by unforgettable memories of my own recent service in your ranks and by anticipation of working with you during the coming months. You are to be commended on the leaders you have chosen and I join with you in the confidence you have shown in them. While this occasion is in a sense a reunion with my many former colleagues, it is also an opportunity to welcome the 126 members who are serving here for the first time.

Since the beginning of independent constitutional government in New Hampshire, it has been provided that a Governor subscribe to his oath of office in the presence of both houses of the Legislature, and so for over a century and a half there has taken place, more or less in its present form, this inaugural ceremony which you are witnessing today.

Due to the increasing complexity of our modern civilization and the ever quickening tempo of world events, we have been inclined to feel that each new Legislature and each new State Administration face problems of greater magnitude than did their predecessors.

It is important to recall that the lawmakers of New Hampshire have in previous generations faced problems and difficulties fully equal to our own today, and to remember that they have met these with imagination, with courage, and with a willingness to adjust to new times and conditions. For example, just two hundred years ago, in 1755, our forbears were confronted with the prospect of a long and bloody war with the armies of Louis XV of France and his Indian allies. In the

spring of that year, the legislators of New Hampshire had to vote great sums of money for an expeditionary force of 500 men. Further demands were soon made for assistance in erecting a fortress near Crown Point. The legislative records for 1755 reveal the anxiety, the tension, and the costly measures which had to be adopted to meet the needs of that time.

This was the year which saw the building of Fort Wentworth in the Coos country; the emergence into lasting fame of John Goffe, Robert Rogers, and John Stark; the journey of the New Hampshire troops up the Merrimack River to Stevens-town (now Franklin), and their subsequent movement by way of Charlestown and the Connecticut River to the crossing place leading to the war zone around Lake Champlain.

If we think of the problems faced by New Hampshire's lawmakers just a century ago, in 1855, again we are impressed by their diversity and seriousness. This was the time of the Industrial Revolution. This was the time when many of the ancient towns of the State were adopting the city form of government, and introducing new and complex municipal services, — police, fire departments, waterworks, sewage systems, street lighting, and others. Such innovations as the telegraph and illuminating gas were changing the life of the Granite State. That great inventor, Herrick Aiken in Franklin, had just devised the circular latch knitting machine which revolutionized the hosiery industry of the nation. Thomas Goodall of Troy was beginning to manufacture his "New Hampshire Blankets" which were to make him famous and wealthy. The Amoskeag Mills at Manchester were becoming one of the great factories of the United States. Industrial developments were starting in Berlin, in Antrim, in Claremont, and elsewhere, which still exist today. There was a growing agitation for a "House for Juvenile Reformation" to be established in Manchester, an endeavor that culminated in legislative action in 1856.

The summer tourist business was in its infancy. In the Monadnock area around Dublin and Peterborough resort hotels were springing up. At North Conway Benjamin Champney with his art colony was drawing larger numbers of people each year into that beautiful region. Around our great lakes, Winnepesaukee, Sunapee, Newfound and Ossipee, the first stirrings of summer visitors were being noted. On the Isles of Shoals Thomas Lighton had recently started his long and successful effort to attract guests to that scenic location. The



YMCA was in the first flush of its activities in the State, and both public and parochial schools were beginning to take their modern form. In 1855 the Legislature, prompted by Governor Metcalf, passed a strict State-wide prohibition law to meet the serious problem of alcoholism in that day.

Meantime, New Hampshire people and lawmakers were being ever more deeply divided by the furious agitation over slavery that a few years later was to explode in the Civil War. Arguments concerning the Kansas-Nebraska Bill tore asunder the people of the State. The decline of sheep farming deeply troubled the farmers of New Hampshire. The beckoning lure of the West, with its newly discovered gold mines and the rich lands around the Great Lakes proving magnetic in their drawing power, were a source of anxiety to thoughtful citizens of New Hampshire. In this atmosphere of tension, worry, and doubt about the future, the lawmakers of 1855 met to do their work.

By this brief historical review of grave problems confronting Legislatures of other years, in no sense do I intend to minimize the important problems which we will face together in the months ahead. It is my duty as Governor to present many problems to you. We must not delude ourselves that they are easy of solution. By the exercise of intelligent selection and by persistent deliberation, we should be able to enact constructive legislation to solve some of our most pressing problems and to establish long range policies to help in the solution of others.

### Fiscal Affairs

The most important problem which you will have to consider in this session of the General Court will be the budget for the next two years. This is not a new problem, either for the New Hampshire Legislature or for any other appropriating agency of government, whether it be local, state or federal. The increased demands upon all levels of government in recent years have made ever present the task of balancing income with outgo.

We in New Hampshire have done rather well in this task and I am confident we will successfully meet the challenge which faces us now. From my own legislative experience I am aware that the length of the session is determined to a large degree by the time consumed in consideration of our financial

affairs. I shall, therefore, submit the executive budget to you well in advance of February 15th, the date provided by law.

I shall not give at this time a detailed analysis of the State's fiscal situation. This will be contained in my budget message. However, a few general statements are appropriate on this occasion.

I would like to lay at rest once and for all the fallacy that we have been "living off our surplus" ever since the end of World War II. This just is not so. In this entire 10-year period surplus funds have never exceeded  $5\frac{1}{2}$  millions of dollars and have never been less than 2 millions. This means that a careful overall balance has been maintained between revenues and expenditures. Surplus funds in government represent taxes collected from its citizens, in excess of current needs and should be spent before the imposition of new taxes. By law the State insists upon this procedure for local government. The State should practice what it preaches.

There has been a tendency for the Legislature to make Capital Budget authorizations without a true appreciation of the annual operating charges which would eventually result therefrom, and in some instances with the mistaken impression that a project would be entirely self-liquidating. In submitting my Capital Budget to you at a later date, I shall include with it the most careful estimates as to what effect each proposal will have on future appropriation bills.

One reason for the general lack of understanding of the State's financial affairs has been the complexity of our accounting procedures and lack of clarity and simplicity in financial reports. We shall devise a method of imparting information, not only to the Legislature, but to the general public, which will tend to eliminate future misunderstandings.

Control of government spending is a paramount need of our country today. With over 28 per cent of the national income diverted through taxes to the support of government, we must face the question of how much government can be afforded even by the richest nation in the world. The cost of state government must be a part of the total picture.

The State is caught in a squeeze between the federal government on the one hand and local government on the other. A reduction in expenditures by the national government makes it necessary for the State to consider how much further it can support by itself certain activities from which federal funds

have been withdrawn. The State must also consider to what extent it can satisfy the demands for local tax relief through increased state aid.

Taxes are taxes at whatever level of government they are imposed. The only way to retard the mounting costs of government is to refuse additional revenues. A business man must keep his expenses within his income. He must be cautious not to extend his business beyond his ability to support it. Government, which is actually a collection of individuals, must use the same caution. In the final analysis it is the individual citizen who pays the costs of government.

In governmental expenditures of all kinds, yes, even in those vital services which directly affect human welfare, it is necessary to draw a line of distinction between those expenditures which are actually essential and those which are merely desirable. We must never lose sight of our responsibility to those truly in need. This is our Christian way of life. Yet we must be careful not to burden the more fortunate with unnecessary expenditures.

What I am saying is that state government spending cannot be suddenly turned on and turned off like a water tap. We should take such actions in this session as will insure a leveling off of expenditures in future years. Many of the unavoidable appropriations facing us now are the result of actions taken by previous Legislatures. If at this time we restrain our future commitments we can look forward to the time when we will not be faced with constant annual increases in State spending.

For the next two years budget requests of all departments and institutions operating on the general fund are nearly 9 millions of dollars in excess of the current level of appropriations. It is in this area that the necessary must be separated from the desirable.

When we take into account the nation's present economic stability, the even price level and the outlook for no further inflation, these budget requests in terms of revenue dollars seem greatly excessive. Guided by legislative policies establishing the need for state services, it is my intention to make substantial reductions in these requests before transmitting my recommendations to you. I am presently engaged in this task.

Any appropriations I may recommend, which cannot be met from funds available, will be accompanied by suggestions for new revenues to avoid a deficit at the end of the biennium.

I do not recommend and will not recommend the enactment of a Sales Tax or an Income Tax as a source of new revenue.

### Forest Conservation

Another important task facing this session of the General Court is to adopt constructive but not crippling amendments to the Forest Conservation Law of 1949 in order to lessen the cost of its operation to the State.

About 85 per cent of New Hampshire area is covered with some type of woodland and according to the University of New Hampshire, "the financial support of one-quarter of the State's gainfully employed persons rests upon a forest economy."

The prosperity of most of our towns has declined with the wanton destruction of their supply of good timber and the cities should not forget that this in turn affects them.

The Forest Conservation Law, commonly referred to as the Timber Tax, is sound in principle. At the time it went into effect in the spring of 1950, about 10 per cent of our timber operations were run according to some sort of reasonable forest practices. In 1953, over 40 per cent of our timber was handled according to Forest Practice Standards. This is a heartening gain in a brief three and one-half years.

Our Timber Tax has aroused intense interest throughout the United States. The Federal Reserve Bank has called it the most important conservation law passed in a generation.

In considering amendments to this law, we must take into account three important objectives: First, to preserve the true conservation features of the law; second, to safeguard the interests of those towns which have special problems due to their being so heavily forested; and third, to reduce as rapidly as possible the overall cost to the State in the operation of the reimbursement fund.

I shall consider it a major accomplishment of my Administration if the Forest Conservation Law can now be so well stabilized that we can avoid time consuming and costly struggles in future years.

### Traffic Safety

There is presently an appalling number of traffic deaths on our nation's highways. New Hampshire is suffering from needless loss of life and injuries as a result of such untimely happenings here.



It is my wish that every effort be made to expand our traffic safety education to combat the menace of these tragedies occurring in our State. The promotion of greater driver control is one of the best investments we can make. Greater emphasis on driver training instruction should be encouraged in all of our schools.

Let us not forget that a life saved or an injury prevented eliminates untold suffering to individuals and families.

### **Revision of the Statutes**

The last General Court authorized a complete revision and codification of our laws, the first since 1942. The commission directed to undertake this task has completed its work and will very shortly submit for your approval the Revised Statutes Annotated. Prompt action is necessary, and I urge you to give this matter high priority.

### **Constitutional Convention**

In the referendum conducted last November 2 to take the sense of the voters on the subject of a revision of the Constitution a substantial majority favored the calling of a convention. It is the responsibility of this General Court to determine the time and mode of electing delegates, to set a date for the convention, and to appropriate funds to pay its expenses. I recommend early consideration of this matter.

### **Education**

Problems in the broad field of education will be very much before you. Even these of us who might be labeled conservative in their approach to this subject realize that modern education goes far beyond teaching the 3 R's in a one-room schoolhouse. The State government has a prime responsibility to education, but the "New Hampshire way" has been to grant almost complete autonomy to local school districts with respect to elementary and secondary education. Coincident with local control has been local support of public education through the medium of the property tax, thus assuring a closer scrutiny of expenditures and a proper realization of educational costs.

The State has realized an obligation to equalize educational opportunity for any New Hampshire child regardless of where he may live or from that home he may come. Except for one brief period, you have insisted that any formula for state aid

be expressed wholly in terms of need. I believe that this approach must be continued. Fifty per cent increases in appropriations for state aid have been made by the last two Legislatures and I shall recommend that a further increase be made during the present session.

Much emphasis is being placed on a comparison of New Hampshire's position with the other states with respect to state aid for education. More emphasis should be placed on our total expenditures for education. That is a truer indication of our effort and a better measure of the quality of our schools. Education is but one of the many responsibilities of government. Increasing state aid to education as a means for local tax relief cannot be considered separately from state aid in many other forms, such as taxes returned to local government, taxes reserved for local government, or highway and welfare aid.

The State University presents a special problem, both because of its present size and the expansion which will be necessary if existing policies are pursued. We must reappraise the present aims of the University in relation to the original purpose of the land grant college. I understand that purpose to have been the education of the children of families with limited means who might otherwise be denied the opportunities of higher education. In recent years great changes have taken place. The unwillingness or inability of many private institutions to expand, and the high standards which have prevailed at the State University, have attracted large numbers of students from outside the original category. The percentage of state funds to the total expenditures of the institution is steadily increasing, giving rise to the question as to what ultimate extent state money should participate in this situation. Because of the sharp increase which has taken place in appropriations for the University in recent years you should exercise a stricter budgetary control than in the past. Such a step should not be directed toward an interference in curricular activities, but toward the constitutional duty of the Legislature to watch the expenditures of all public funds.

There will soon be presented to you a proposal to ratify a New England Regional Compact for Higher Education. Briefly, this is a step to better coordinate existing educational facilities in the fields of medicine, dentistry, veterinary medicine and public health, and in other professional, technical and graduate training where costly duplication of activities might be avoided.

This compact was developed at a series of conferences in which our State participated and I believe it to be worthy of your serious consideration.

### Unemployment Compensation

Our Unemployment Compensation Law is one of the most liberal in the country in terms of benefits to the unemployed. We are regularly among the promptest in the nation in the payment of benefits to those entitled and are among the strictest in assuring that only those entitled are actually paid.

For this achievement, primary credit goes to the Unemployment Advisory Council. The Council was recently rated by a national expert in the field as one of the two most effective in the country. As in past legislative years, the Council will bring to you some proposals, endorsed by both management and labor, for amendment of the law. I hope you will give favorable consideration to these recommendations.

In particular I urge your approval of an amendment making it possible for employers newly covered by the New Hampshire law to achieve a preferential contribution rate earlier than is now possible. This amendment can be most helpful in our efforts to attract new industry from outside our borders and to encourage new industries starting within the State.

In the matter of benefit rates, the duration of benefits to unemployed workers and the amount of earnings necessary to qualify for benefits, New Hampshire today is one of the very few states in the nation whose laws meet the minimum recommendations of President Eisenhower to Congress a year ago. Our position not only with respect to unemployment compensation but to much other labor legislation is due to the co-operative effort of management and labor. We have believed in settling our differences outside of legislative halls.

Such a record is a tribute to both New Hampshire industry and New Hampshire labor.

### Retirement Systems

The State presently contributes to four different retirement systems: Policemen, Firemen, Teachers, and State Employees. The extent of this program and the potential benefits to covered employees can be measured to a degree by the \$3,800,000 which the State will pay into these funds during the next two years. Recent changes in the Federal Social



Security Act, allowing coverage of state and municipal government personnel under certain conditions, have made it important to study possible advantages which might result from these changes. A group charged by the last Legislature to study this problem was hampered by lack of funds and reports that actuarial studies must be made to determine what changes, if any, should be recommended.

I want to make it very clear that I would disapprove any proposals which would decrease the total benefits now being received. However, I would be remiss in my duty to all the beneficiaries, and to the taxpayers, if I did not recommend that you authorize continued study of this complex problem.

### **State Promotion**

The success of New Hampshire's promotional effort is dependent upon the cooperation of every New Hampshire citizen. New Hampshire was built by community enterprise. Our ancestors raised their churches and community buildings by working together — that is the New Hampshire way.

New Hampshire has little enough money to do all that is necessary to meet the intense competition of other states who would take her recreation business from her, who would encourage her industries to leave, who would threaten to stifle her agricultural markets. There must be no duplication of efforts, no overlapping of promotional agencies. We must get the maximum effect for each dollar and each hour of effort spent on promotion. While we must constantly think of economy, it is not to the field of promotion that we should first turn for budget reductions. Our promotional activity must not be treated as the step child of state government.

### **Natural Resources**

To maintain and improve our economic position the orderly conservation and development of our natural resources is a compelling need. Proper natural resource development cannot be confined to the area of our State alone but is rather a regional problem requiring interstate and federal cooperation with adequate safeguards to avoid federal encroachment. A great stride in this direction has been accomplished in the form of a comprehensive report on the natural resources of New England and New York prepared at the direction of the President. Much basic data has been compiled. In the next few

months, together with the governors of the six other states, I shall make comments on this report before it is sent to the President. The study does not recommend the specific construction of any project at any time or by any interests. It will, however, furnish a source of basic information of great value to the entire region. Our chief concern must be in the methods by which future development takes place. The states must keep control and should resist intervention by the federal government.

### Highways

The continued expansion of our highway system is vital to the economic development of our State.

A new and gigantic plan for improving the nation's highways has been proposed by the President. If this plan is adopted additional large sums will come to the states. We should be prepared to readjust our highway plans and budgetary allocation consistent with plans at the national level. I do not anticipate that any additional requirements in state matching funds will be needed. Without additional appropriations of funds by the General Court, it is conceivable that sufficient federal funds will be available to permit extension of our Central Turnpike northward to serve the Lakes Region and the White Mountains, to a junction with the Vermont system west of Littleton with a branch from Concord to a similar connection in the central western part of the State.

Our small communities are the life stream of our social and economic existence in New Hampshire. Without the necessity of new legislation, many of our smaller communities will now receive federal aid on approved construction or reconstruction projects.

### Public Welfare

While in New Hampshire we have magnificence all about us, there is still a segment of our population which must look to the State for a monthly allowance to provide complete maintenance. As this is the case, the welfare of our citizenry must be a major concern.

It is gratifying to know the philosophy of our Welfare Department is that public assistance is not a way of life, but rather a temporary measure until more permanent arrangements can be made for an individual or a family. With this

philosophy our caseloads have shown a rapid decline. For each new person coming on assistance a rehabilitative plan is immediately established to take him off assistance as soon as possible.

In spite of all New Hampshire's efforts in rehabilitation, our costs are on the increase. While grants of assistance have declined, there has been a corresponding increase in the costs of medical care to offset these savings. During the current bien-nium we will spend nearly five and one-half millions of dollars for all types of medical care. This is approximately one-third of the total welfare appropriation. This increase is significant when one considers that New Hampshire has 10 per cent fewer recipients than in the previous biennium, even though the welfare agency now administers two new categories of aid.

Our present plight in the area of medical welfare is one of the most acute problems that we have to face.

### **State Institutions**

During recent weeks I have been preparing myself for the duties which I today assume. Included in these preparations have been visits to our State institutions. Such visits are a grim reminder of the great responsibility we have to provide adequate care and rehabilitation for so many less fortunate than ourselves. Such visits, on the other hand, disclose a high level of custodial care and plant maintenance in which we can take pride. While some institutions are overcrowded, others have idle space. I believe that every consideration should be given to full utilization of existing facilities when we act on the over-all housing problem with which we are confronted.

### **Business Methods in Government**

One of the bright pages of the 1950 Reorganization Act was the establishment of business practices at our six state institutions. These have resulted in improved inventory control; in better purchasing, accounting and collection procedures; and in sound farm management. It has been shown that business methods can be applied to government.

I hope that these business practices, so well proven in one area of state government, can be extended on a voluntary and cooperative basis to our teachers' colleges and technical insti-

tutes and to those departments of our State, the nature of which makes them particularly susceptible to good business management.

This does not mean that I have any illusions that the State government can be run like a factory. However, I do think a few factory-like methods would be good for it. My new associates in the executive branch may find it difficult at times to adjust themselves to my ways. It will be just as hard for me to adjust myself to some of the ways of government.

### Civil Defense

I need not remind you that the world today is only superficially at peace. Danger spots exist around the globe. Where they do not exist they are easily contrived by those whose aim is our destruction.

When weapons of mass destruction are directed at the civilian population, our cities, our towns, our farms, we must all share in the common defense, even as we all share the common danger.

To insure our survival every state in the union has established a Civil Defense Organization to work in cooperation with the federal government. New Hampshire has not lagged behind in that respect. Indeed, it has been in the forefront.

Our basic law is the Civil Defense Act of 1949 as amended in 1953. Interstate compacts for mutual aid have been entered into with all the states in this region and eventually will be extended to all the states in the union. Our law is not perfect, as experience during the past two years has demonstrated, and certain amendments to make it more effective will be submitted for your approval during the legislative session.

Created for wartime disasters, Civil Defense has become indispensable to peace time emergencies. The help we received from Civil Defense during the forest fires in 1953 was of great benefit to our State. Its value was demonstrated again during the hurricanes, and recently during the search for a missing airliner. It is something we can depend on. It is not a paid force, but an organization of devoted volunteers who are giving their time and effort to protect you. Those volunteers are all too few in number. It is a job for all of us. Make no mistake, when one plane or one bomb is able to destroy a city the size of New York, where does protection lie except in God and our united effort?



I do not wish to conclude these remarks without referring in a most appreciative manner to the young man who has preceded me as the State's chief executive.

Our laws provide that a retiring Governor give a certain perfunctory assistance to his successor, in order to preserve some continuity in the consideration of the State budget. Governor Hugh Gregg has gone far beyond the call of duty in giving me every possible help and cooperation at all times. I congratulate him on the success of his Administration. I wish him well as he leaves public office, and as he undertakes for the benefit of all the New England States an important assignment for which his talents are particularly suited.

\* \* \* \*

I come now to a personal word. Presiding from this rostrum was one of the truly great experiences of my life. I leave it now to enter the executive branch of the government. I have great respect for the separation of powers between the two branches. However, I shall hold myself ready at all times to work with you in advancing the welfare of the people of our State. As my good friend and predecessor ended his address to you yesterday, I also close by wishing you Godspeed in your deliberations.

Benediction was offered by the Most Reverend Bishop Matthew J. Brady of Manchester.

On motion of Senator Keller of District No. 6 the convention rose.

### House

On motion of Mr. Pillsbury of Manchester:

*Resolved*, That the House of Representatives has listened with gratification to the message of Governor Lane Dwinell and hereby expresses to him the high esteem in which we hold him.

On motion of Mr. Pickett of Keene:

*Resolved*, That the House of Representatives have the address of Governor Lane Dwinell printed in the Journal and 600 additional copies be printed in pamphlet form.

On motion of Mrs. Hayward of Hanover:

*Resolved*, That when the House adjourns today it be to meet Tuesday morning, January 11 at 11:00 o'clock.



On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time.

On motion of Mrs. Hayward of Hanover, at 1:05 o'clock the House adjourned.

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TUESDAY, JANUARY 11, 1955.

The House met according to adjournment.

Prayer was offered by Rev. Austin Reed of Goffstown.

“Dear Lord and Father of mankind,  
    Forgive our feverish ways;  
Reclothe us in our rightful mind,  
In purer lives Thy service find,  
    In deeper reverence, praise.  
Take from our souls the strain and stress,  
And let our ordered lives confess  
The beauty of Thy peace.”

Deliver us our God of Patience from the present-day hurried way of life. Help us to remember that it takes time to build a nation, and a state. Amid the hurry and stress of this mechanical age, help us, our God, to slow down, and take time to think, time to meditate, time to evaluate the opinions of others, time to pray. And then whatever we do may it be for the good of our State and to the glory of Thy Holy name. Amen.

### Leaves of Absence

Mr. Pearson of Dover was granted an indefinite leave of absence on account of illness in the family.

Mr. Davis of Cornish was granted leave of absence for the day on account of important business.

Mr. Morin of Laconia was granted leave of absence for the week on account of illness.

Mr. Marcotte of Claremont was granted leave of absence for two weeks on account of illness.

### Committee Appointments

The Speaker announced the following committee assignments:

#### AGRICULTURE

Spollett of Hampstead, Chairman

Peaslee of Merrimack, Vice-Chairman

Davis of Cornish\*

Persson of Candia

Clement of Landaff

Ramsey of Alexandria

Tenney of Chester

Bascom of Acworth

Chadbourne of Lee

Sewall of Newmarket

Ellsworth of Boscawen

Morin of Laconia

Townsend of Lebanon

Stokes of Freedom

Cornelius of Lancaster

Thibeault of Pembroke

Gay of New London

Sullivan of Manchester

Willard of Temple

Pierce of Plainfield

Dutilly of Nashua

#### APPROPRIATIONS

Scamman of Stratham, Chairman

Bell of Plymouth, Vice-Chairman

Billings of Westmoreland

Goodwin of Hollis

Pillsbury of Manchester

Kelley of Littleton

Taylor of Whitefield

Malley of Somersworth

Tilton of Laconia

Sheridan of Berlin

Davis of Hopkinton

Bailey of Newport

Atwood of Sanbornton

Stinson of Stratford

Hodgdon of Tuftonboro

Smith of Manchester

Walker of Concord

St. Pierre of Rochester\*

Cole of Lebanon

Flanagan of Dover

Rowell of Newport

**AVIATION**

Brown of Marlow, Chairman

Hancock of Concord, Vice-Chairman

Jennings of Goffstown	Phelan of Stark
Clement of Rochester	Sanborn of Enfield
Barka of Derry*	LaFond of Manchester
Pearson of Dover	Farwell of Brookline
Mitchell of Surry	Shea of Manchester
Robinson of Antrim	Sweeney of Nashua
Burgess of Manchester	Nelson of Goshen
McCullough of Keene	Stevens of Chichester
Battles of Kingston	Dwyer of Manchester
Desjardins of Dover	

**BANKS**

Geisel of Manchester, Chairman

Crandall of Dover, Vice-Chairman

Clarke of Derry	Felker of Dover
Wilman of Northfield	Thibault of Nashua
McAllister of Barnstead*	Annis of Millsfield
Sweeney of Keene	DuDevoir of Hooksett
Weeks of Wolfeboro	Nolan of Manchester
Perry of Jaffrey	Healey of Manchester—
Lessels of Concord	Ward 5
Merrill of Exeter	Walsh of Manchester
Clarke of Canaan	DeLisle of Manchester
Bouthillier of Nashua	Maynard of Nashua

**ELECTIONS**

Willey of Campton, Chairman

Maxham of Concord*	Casey of Manchester
Griffin of Auburn	Flanagan of Dover

**ENGROSSED BILLS**

Mahoney of Concord, Chairman

Ballentine of Laconia	Palmer of Plaistow
Hayden of Ossipee	Hundley of Portsmouth

**EDUCATION**

Vaughan of Newport, Chairman

Ford of Wolfeboro, Vice-Chairman

Saltmarsh of Concord	Brown of Keene
Parmenter of Londonderry	Shattuck of Danville
Hayward of Hanover	Palmer of Plaistow
Stearns of Durham	Blair of Epping
Bradley of Hanover	Dowd of Concord
Ballentine of Laconia	Nutter of Epsom*
Talbot of Orange	Latour of Hudson
Herrick of Deering	Martel of Manchester
Webb of Dover	Corey of Manchester
Charland of Franklin	

**EXECUTIVE DEPARTMENTS AND  
ADMINISTRATION**

Rainie of Concord, Chairman

Willey of Campton, Vice-Chairman

Chamberlain of Bath	Metcalf of Tilton
Haigh of Salem	Anderson of Concord
Reed of Goffstown	Thompson of Winchester
Griffin of Auburn	Hennessey of Dover
Gardner of Littleton	Dempsey of Franklin
Gamsby of Sunapee	Ecker of Manchester
Soucy of Manchester	Lavoie of Manchester
Ward 1	Trombley of Nashua
Hadley of Hillsborough	Eastman of Weare
Thurlow of Hampton Falls	Gagnon of Berlin

**FISH AND GAME**

Converse of Pittsburg, Chairman

Rhodes of Walpole, Vice-Chairman

Burnham of Alstead	Bisbee of Derry
Simonds of Lancaster	Felch of Seabrook
Jewett of Concord	Cheney of Newton
Henry of Concord	Simoneau of Laconia
Cummings of Nashua	Ferrin of Concord
Dutton of Peterborough	Hurlbert of Errol*
Huckins of Plymouth	Bushey of Northumberland
Chamberlain of Holderness	Barrett of Portsmouth
Horton of Lyme	Schricker of Manchester
Hayes of Manchester	

**INSURANCE**

Carr of Orford, Chairman

McKee of Concord, Vice-Chairman

Hambleton of Goffstown	Bigelow of Warner
Abbott of Hudson	Pike of Fitzwilliam
Hodge of Sandwich	Lane of Swanzey
Quirk of Portsmouth	Sadler of Portsmouth
Buckley of Mount Vernon	Boutin of Belmont
Lamprey of Moultonborough	Kean of Manchester
Nelson of Concord	Grandmaison of Nashua
Chandler of Bartlett*	Horan of Manchester
Brown of Loudon	Dionne of Nashua
Stevens of Chichester	

**INTERSTATE CO-OPERATION**

The Speaker	DeLude of Unity
Martin of Littleton	Pickett of Keene
Hart of Laconia	

**JOURNAL**

The Speaker	Miner of Meredith
Young of Pittsfield	

**JUDICIARY**

Faulkner of Keene, Chairman

Holmes of Amherst, Vice-Chairman

Wadleigh of Milford	Rathbone of Exeter
Holden of Hanover	Colbath of Concord
Jones of Lebanon	Dondero of Portsmouth
Brungot of Berlin	Pickett of Keene
Studley of Rochester	Beamis of Somersworth
Atkins of Hanover	Healy of Manchester, W. 6
Frizzell of Charlestown	Craig of Manchester
Brown of Strafford	Moher of Dover
Codding of Keene	Pappagianis of Nashua*
Bennett of Keene	



**LABOR**

Angus of Claremont, Chairman

Haley of Keene, Vice-Chairman

Robertson of Gilmanton	Collyer of Lisbon
Comi of Concord	Shea of Concord
Jones of Fremont	Ingraham of Portsmouth
Varrell of Laconia	Lacasse of Rochester
Stevenson of Bethlehem	Kenney of Franklin*
Mros of Farmington	Fortin of Greenville
Hunter of Hampton	Callahan of Manchester
Dana of Laconia	Shea of Nashua
Ballum of Walpole	Brosnahan of Nashua
Baker of Stewartstown	

**LIQUOR LAWS**

Karkarvelas of Dover, Chairman

Poore of Goffstown, Vice-Chairman

Danforth of Manchester	Prior of Ashland
McCaffery of New Castle	Murch of Portsmouth
Corbett of Concord	LaBranche of Newmarket
Saunders of Nashua	Dustin of Rochester
Mahoney of Manchester	Bergeron of Manchester
Wardwell of Portsmouth	Gauthier of Manchester*
Wentworth of Madbury	Marcotte of Claremont
Estes of Rochester	Bouchard of Berlin
Bean of Webster	Slowey of Manchester
Travis of Portsmouth	

**MILEAGE**

Crandall of Dover, Chairman

Clarke of Derry	Bouchard of Berlin
Sherwin of Rindge	Smith of Manchester*

**MILITARY and VETERANS' AFFAIRS**

Chase of Dover, Chairman

Milligan of Newbury, Vice-Chairman

Mailloux of Pelham	Paradis of Manchester
Bloomfield of Claremont*	Vaillancourt of Manchester
Bardol of Wilton	Soucy of Manchester—
Peterson of Nashua	Ward 12
Aho of New Ipswich	Ayers of Nashua
Wheeler of Keene	Dumais of Nashua
Bishop of Gorham	Letourneau of Somersworth
Ferguson of Jefferson	Langelier of Nashua
Larty of Haverhill	Cormier of Somersworth
Roberts of Conway	

**MUNICIPAL and COUNTY GOVERNMENT**

Perley of Lebanon, Chairman

Deans of Milford, Vice-Chairman

Eldredge of Exeter	Miner of Meredith
Cilley of Concord	Hayden of Ossipee
Smith of Meredith	Baron of Allenstown
Thomas of Dublin	Dion of Manchester
Littlehale of Durham	Ryan of Nashua
Vaughn of Bow	Jean of Nashua
Rines of Carroll	Stone of Claremont
Robinson of South Hampton	Ross of Gorham
Firestone of Claremont	Carbonneau of Northumberland
DeLude of Unity*	

**PUBLIC HEALTH**

Green of Rollinsford, Chairman

Pinkham of Northwood, Vice-Chairman

Ramsdell of Nashua	Mason of Hill
Peaslee of Wakefield	Smart of Portsmouth
Kirk of Keene	Constant of Manchester
Willis of Salem	Auger of Manchester
Ayer of Pittsfield*	Dugas of Nashua
Noyes of Salem	Belcourt of Nashua
Nickerson of East Kingston	Betley of Manchester
Lovejoy of Salisbury	Cannon of Manchester
Smith of Hinsdale	Fitzgerald of Manchester
Evans of Milton	

**PUBLIC WELFARE and STATE INSTITUTIONS**

Black of Bennington, Chairman

Millar of Claremont, Vice-Chairman

O'Shan of Laconia	Eastman of Exeter
Roe of Newport	Bouvier of Swanzey
Benson of Conway	Payette of Portsmouth
Maxham of Concord	Carignan of Rochester*
Mahoney of Concord	Tessier of Manchester
Lang of Manchester	Gelinas of Manchester
Howe of Claremont	Donnelly of Manchester
Mulaire of Hooksett	Roy of Berlin
Joyce of Portsmouth	Leclerc of Manchester
Swain of Barrington	

**PUBLIC WORKS**

Rogers of Laconia, Chairman

Falconer of Milford, Vice-Chairman

Spaulding of Hudson	Jones of Francestown
Adams of Lebanon	Remick of Tamworth
Carter of North Hampton	Fogg of Deerfield*
Wiggin of Bedford	Burke of Franklin
Weeks of Greenland	Payeur of Pembroke
Philbrick of Rye	Clancy of Manchester
Carlton of Marlborough	Alexander of Manchester
Sawyer of Woodstock	Boisvert of Manchester
Burbank of Laconia	Fortier of Berlin
Alls of Colebrook	

**RESOURCES, RECREATION and DEVELOPMENT**

Hart of Laconia, Chairman

Barney of Rumney, Vice-Chairman

Locke of New Boston	Skinner of Alton
Funkhouser of Durham*	Nute of Farmington
Broadhurst of Franklin	Maloomian of Somersworth
Pillsbury of Sandown	Phelps of Andover
Tobey of Hampton	Hurley of Manchester
Reney of Grantham	Gamache of Manchester
Potter of Milan	Lang of Troy
Rice of Peterborough	Dussault of Berlin
Urie of New Hampton	Fontaine of Berlin
Frazer of Monroe	

**RULES****Speaker's Office**

The Speaker	Faulkner of Keene
Pillsbury of Manchester	Pickett of Keene
Scamman of Stratham	Kearns of Manchester
Young of Pittsfield	

**TRANSPORTATION**

Sleeper of Haverhill, Chairman

Pettigrew of Manchester, Vice-Chairman

Vogel of Canterbury	Post of Chesterfield
Connell of Dover	Rolfe of Rochester
Robb of Manchester	Morris of Manchester
Carpenter of Henniker	Langlois of Manchester
Nickerson of Madison	Cary of Manchester
Russell of Berlin	Boire of Nashua
Dudley of Brentwood	Chartrain of Nashua
Bissonnette of Claremont	Waling of Keene
Davis of Concord*	Simms of Claremont
Workman of Wilmot	

**WAYS and MEANS**

Young of Pittsfield, Chairman

Ingham of Winchester, Vice-Chairman

Spofford of Jaffrey	Karagianis of Laconia
Downs of Conway	Mafera of Raymond
Sherwin of Rindge	Leary of Portsmouth
Plumer of Bristol	Lareau of Manchester
Waterhouse of Windham	Hundley of Portsmouth*
Ashley of Lebanon	Casey of Manchester
Martin of Littleton	Kearns of Manchester
Gardner of Gilford	Lesmerises of Manchester
Christiansen of Berlin	Nadeau of Rochester
Gay of Derry	

**Resolutions**

On motion of Mr. Young of Pittsfield:

*Resolved*, That the following policy be established for the distribution of House journals, bills and joint resolutions to legislative agents, corporations and other persons, except the members of the General Court and State Departments:

1. Every citizen is entitled to one copy of any publication free of charge at the legislative counter or to have the same mailed to him free of charge upon individual request for such one copy.

2. Persons requesting copies of all publications delivered complete for the entire session will be charged a fee sufficient to cover postage, envelopes and handling. Such fees may be prorated where service is received for portions of the session only. All fees will be payable in advance.

3. All fees charged hereunder shall be fixed by the Sergeant-at-Arms with the approval of the Speaker and shall be collected by the Sergeant-at-Arms and paid in to the State Treasury and credited to the legislative appropriation. Any House attache who works overtime to furnish any of the services hereunder shall be allowed such additional sum for his overtime services as the Appropriations Committee shall deem fair and reasonable.

Mr. Geisel of Manchester offered the following resolution :

*Resolved*, That the Speaker appoint a committee of three members of the House whose duty it shall be to confer with the state fire marshal relative to the fire hazard in the gallery of the House of Representatives, and to investigate what measures should be taken to eliminate said hazard. Said committee shall report back to the House the results of its investigation by the first of February, 1955.

The question being on the resolution.

(Discussion ensued)

Messrs. Geisel of Manchester and Pickett of Keene spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed as members of such committee Messrs. Geisel of Manchester, Thompson of Winchester, and Pickett of Keene.

On motion of Mr. Bishop of Gorham :

*Resolved*, That immediately following the prayer at the opening session each week, the Speaker or such person as he may name will lead the assembly in repeating the pledge of allegiance to the flag.



### Suspension of Rules

Mr. Perley of Lebanon moved that the rules of the House be suspended to allow for the introduction of a joint resolution. The question being on the motion.

(Discussion ensued)

Messrs. Perley of Lebanon, Pillsbury of Manchester, Pickett of Keene and Spaulding of Hudson spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

House Joint Resolution No. 2, Joint Resolution relative to continued duties of the attorney general, was then read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

On motion of Mr. Perley of Lebanon the rules were further suspended to dispense with the printing and reference to committee and that the joint resolution be put upon its third reading and final passage, by caption only, at the present time.

House Joint Resolution No. 2, Joint Resolution relative to continued duties of the attorney general was then read a third time and passed and sent to the Senate for concurrence.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mrs. Hundley of Portsmouth, House Bill No. 15, An Act relative to recordation of liens on real estate for payment of income tax. To the Committee on Executive Departments and Administration.

By Mrs. Funkhouser of Durham, House Bill No. 16, An Act to promote safety on the highways by regulating access to state highways and roadside use. To the Committee on Public Works.

By Mr. Jones of Lebanon, House Bill No. 17, An Act relative to the salaries for Grafton county commissioners. To the special committee consisting of the Delegation from Grafton County.

By Mr. Faulkner of Keene, House Bill No. 18, An Act increasing the appropriation for dormitory at Keene Teachers College. To the Committee on Appropriations.

By Mr. Murch of Portsmouth, House Bill No. 19, An Act relating to prisoners committed to a house of correction. To the Committee on Executive Departments and Administration.

By Mr. Rowell of Newport, House Bill No. 20, An Act legalizing the biennial election in the town of Newport. To the Committee on Municipal and County Government.

By Mr. Faulkner of Keene, House Bill No. 21, An Act relating to the par value of the shares of stock of insurance companies. To the Committee on Insurance.

By Mr. Faulkner of Keene, House Bill No. 22, An Act relative to the care and custody of females transferred to the custody of the State Prison. To the Committee on Public Welfare and State Institutions.

By Mr. Chase of Dover, House Bill No. 23, An Act to legalize greyhound racing in New Hampshire and to establish a state greyhound racing commission. To the Committee on Ways and Means.

By Mr. Angus of Claremont, House Bill No. 24, An Act providing that persons receiving certain federal benefits not disqualified from state unemployment benefits. To the Committee on Labor.

By Mrs. Gardner of Gilford and Mr. Brown of Strafford, House Bill No. 25, An Act relative to forest conservation and taxation. To the Joint Committee on Ways and Means and Resources, Recreation and Development.

By Mr. Murch of Portsmouth, House Bill No. 26, An Act providing for the application of motor vehicle laws on highways on land owned by the United States of America. To the Committee on Transportation.

By Mr. Rowell of Newport, House Bill No. 27, An Act relative to fees for the recordation of merger and consolidation agreements between business corporations. To the Committee on Judiciary.

By Mr. Rowell of Newport, House Bill No. 28, An Act relative to printing session laws. To the Committee on Judiciary.

By Mr. Rowell of Newport, House Bill No. 29, An Act relative to number of write-in votes at primary elections. To the Committee on Municipal and County Government.

By Mr. Rowell of Newport, House Bill No. 30, An Act relative to recount of votes after the biennial election. To the Committee on Municipal and County Government.

By Mr. Burnham of Alstead, House Bill No. 31, An Act relative to change in classification of highway in Alstead and Gilsum. To the Committee on Transportation.

By Mr. Vogel of Canterbury, House Bill No. 32, An Act authorizing public inspection of welfare records. To the Committee on Public Welfare and State Institutions.

By Mr. Bell of Plymouth, House Bill No. 33, An Act providing for supplemental appropriations for certain state departments. To the Committee on Appropriations.

By Mr. Geisel of Manchester, House Bill No. 34, An Act relating to the use of facsimile signatures in the drawing of checks by the treasurers of public bodies. To the Committee on Banks.

By Mr. Bishop of Gorham, House Bill No. 35, An Act relating to the salary of the superintendent of the State Sanatorium. To the Committee on Public Welfare and State Institutions.

By Mr. Remick of Tamworth, House Bill No. 36, An Act to provide recognition of the war service of residents of this state who served in the armed forces of the United States during the Korean conflict. To the Committee on Military and Veterans' Affairs.

By Mr. Brosnahan of Nashua, House Bill No. 37, An Act relating to hawkers and peddlers. To the Committee on Municipal and County Government.

By Mr. Lessels of Concord, House Bill No. 38, An Act to establish a board of boiler rules and to provide for inspection of boilers and unfired pressure vessels. To the Committee on Labor.

By Mr. Ford of Wolfeboro, House Bill No. 39, An Act relative to providing for one open season for taking deer for the entire state. To the Committee on Fish and Game.

By Mr. Vogel of Canterbury, House Bill No. 40, An Act providing for an income tax. To the Committee on Ways and Means.

By Mr. Vogel of Canterbury, House Bill No. 41, An Act increasing the fee for retailer's license under tobacco tax law. To the Committee on Ways and Means.

By Mr. Spofford of Jaffrey, House Bill No. 42, An Act relative to the sewerage system in the town of Jaffrey. To the Committee on Municipal and County Government.

By Mr. Lessels of Concord, House Bill No. 43, An Act relative to forest conservation. To the Joint Committee on Ways and Means and Resources, Recreation and Development.

By Mr. Vaughan of Newport, House Bill No. 44, An Act relative to granting school districts and cities temporary emergency exemption from the provisions of the municipal finance act. To the Committee on Education.

By Mr. Ford of Wolfeboro, House Joint Resolution No. 3, Joint Resolution in favor of Richard W. Detscher. To the Committee on Appropriations.

### **Printing Dispensed With**

On motion of Mr. Scamman of Stratham the rules were suspended to dispense with the printing of House Joint Resolution No. 3, Joint Resolution in favor of Richard W. Detscher.

### **Resolution**

On motion of Mrs. Brungot of Berlin.

*Resolved*, That the Sergeant-at-Arms of the House be instructed to procure and furnish to each member of the House, during the days when the House is actively in session, one daily newspaper published in the state, each member to choose the paper he desires to have.

**Communication**

The following communication was read by the Speaker:

Claremont, N. H.  
156 Elm Street  
December 10, 1954

Mr. Enoch D. Fuller, Secretary of State  
Concord, New Hampshire

*Dear Sir:*

As a resident of Ward 3 of Claremont, I wish to object to the seating of Mr. Robert E. Stone as our representative to the General Court.

Mr. Stone has not lived in our ward for several months.

Very truly yours,

REMI L. GENDRON  
R.F.D. No. 2, No. Elm Street  
Claremont, N. H.  
December 14, 1954

Mr. Harry E. Jackson,  
Deputy Secretary of State  
Concord, New Hampshire

*Dear Sir:*

On behalf of those who supported me on election day, both Republicans and Democrats, I wish to protest the seating of Mr. Robert Stone as representative from Ward 3 of Claremont.

Mr. Stone moved from our ward about the middle of June to Ward 1. Not being a resident of Ward 3, we feel he has disqualified himself by this action. It is also in violation of the intent of the city charter.

Very truly yours,

HERBERT D. HARRIS

The communications were referred to the Committee on Elections.

**Qualified**

The following named members having qualified before his Excellency the Governor, then appeared during the session, and took their seats as members of the House:



Herbert W. Rainie, Concord, Richard L. Burgess of Manchester, Manning H. Philbrick of Rye, Jesse Richard Rowell of Newport, Raymond Frank Hennessey of Dover, William M. Stearns of Durham, Denis F. Casey of Manchester, Edward T. Martel of Manchester, Albert D. Littlehale of Durham, Mrs. Alice Davis of Concord, Elmer L. Annis of Millsfield.

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time.

On motion of Mrs. Saltmarsh of Concord at 12:45 o'clock the House adjourned.

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## WEDNESDAY, JANUARY 12, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Rev. Austin H. Reed of Goffstown.

Our God and our Father, in the midst of the complicated situations of life and the unsolved problems we are called upon to face from day to day, we beseech Thee to keep us from any sense of futility. Make us keenly sensible of the duty that is ours, and ever conscious of the fact that Thy power never has been, and never can be, obstructed by the efforts of man, that Thy love toward us is not limited by the confusion of human schemes and philosophies, and that Thy Fatherly mercy never abandons us, although we abandon Thee. May the very failures of our weak human efforts impel us toward those rich resources Thou has in store for us. In the decisions that we must make in the days to come, grant to us such a reliance on Thee that we may have no foreboding as we make our decisions, and no regrets after they are made. In the name of Jesus Christ. Amen.

### Leaves of Absence

Mr. Latour of Hudson was granted leave of absence for two weeks on account of important business.

Mr. Gilbert of Wentworth was granted leave of absence for the week on account of illness.

Mr. Henry of Concord was granted leave of absence for the day on account of important business.

Miss Bailey of Newport was granted leave of absence for Wednesday and Thursday on account of important business.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Peaslee of Merrimack, House Bill No. 45, An Act changing the classification of a road in the town of Merrimack. To the Committee on Public Works.

By Mr. Peaslee of Wakefield, House Bill No. 46, An Act changing classification of the so-called King's Highway. To the Committee on Public Works.

By Mr. Willey of Campton, House Bill No. 47, An Act relative to investigation of subversive activities. To the Committee on Judiciary.

By Mrs. Mahoney of Concord, House Bill No. 48, An Act relative to distribution of election material by minors. To the Committee on Executive Departments and Administration.

By Mr. Angus of Claremont, House Bill No. 49, An Act relative to benefit rates, earnings in waiting period and merit rates, under the unemployment compensation law. To the Committee on Labor.

### Report of Special Committee

Mr. Frazer of Monroe submitted the following report:

The committee appointed by the Speaker to select a chaplain for the House voted unanimously that the member from Goffstown, the Rev. Austin H. Reed, be named chaplain of the House.

The report was accepted.

The question being on the recommendation of committee.

On a *viva voce* vote the recommendation of the committee was adopted.

### Report of Special Committee

Mr. Scamman of Stratham, for the Committee on Assignment of rooms, submitted the following report:

Agriculture—Room 306, State House.

Appropriations—Room 318, State House.

Aviation—Patriot Building, Liquor Commission.

Banks—Room 301, State House.

Education—Library, Education Commission, State House

Annex.

Elections—Room 410, Annex. . .

Engrossed Bills—Secretary of State.

Executive Departments and Administration—Room 317,  
State House.

Fisheries and Game—State Library.

Insurance—Room 208W, Annex.

Interstate Cooperation—Secretary of State.

Judiciary—Room 308, State House.

Labor—Room Right Entrance, Armory.

Liquor Laws—Patriot Building, Liquor Commission.

Mileage—Room 317, State House.

Military and Veterans' Affairs—Room, Left Entrance,  
Armory.

Municipal and County Government—Room 207, Annex.

Public Health—Room, Left Entrance, Armory.

Public Welfare and State Institutions—Room, Left En-  
trance, Armory.

Public Works—Room 305, Annex.

Resources, Recreation and Development—Room 207,  
Annex.

Rules—Speaker's Office.

Transportation—Room 305, Annex.

Ways and Means—Room 306, State House.

Journal of the House—Clerk's Desk.

The report was accepted.

### **Report of Abandoned Roads Committee**

Mr. Barney of Rumney submitted the following report:

### **THE REPORT OF ABANDONED ROADS COMMITTEE**

#### **Introduction**

The undersigned committee was appointed pursuant to the following resolution of the 1953 Legislature:

(CHAPTER 291, LAWS OF 1953)

*“Resolved by the Senate and House of Representatives in General Court Convened: That the Forestry and Recreation*

Commission is hereby directed to appoint a committee of five residents of the State to *Study and Survey* the feasibility of greater utilization for recreational and development purposes the abandoned and nearly abandoned roads of New Hampshire, and to report their *Findings and Recommendations* to the next session of the legislature."

Meetings of this committee have been held bi-monthly since May 1st. Representatives of interested State Commissions and Departments as listed below, have been interviewed, as well as the Attorney General's Department, the Planning and Development Commission, and some civic organizations, who gave helpful suggestions and information.

"Abandoned Roads" as used in this resolution evidently mean Class VI Roads, defined as follows:

"Class VI Highways shall consist of all existing public ways, and shall include all highways discontinued as open highways and made subject to gates and bars, and all highways which have not been maintained and repaired by the Town in suitable condition for travel thereon for five successive years or more." (Chapter 188, Laws of 1945, Page 269).

And quite possibly, "Abandoned Roads" might mean those roads of a hundred years ago which are so abandoned that they are almost forgotten. No figures are available as to the number of miles of this type of road . . . but in some towns this would be as great or greater than the mileage of the Class VI Roads.

This resolution seems to divide into two main sections:

### I. Study and Survey

### II. Findings and Recommendations

#### I. *The Study and Survey*

- (1) Who uses or is likely to use such roads?
- (2) Possible increased income to the State and Towns from increased use of such roads, and
- (3) Possible costs or liabilities through the existence of such roads as they are or may become from disuse.

#### *Information Collected From Departments:*

(1) The Department of Public Works and Highways reports there are 1,226 miles of Class VI Roads in the State. This committee has the entire breakdown of these figures into Counties and into Towns, but, for brevity, gives only a sample in this report:

## COUNTIES:

Merrimack County has the largest number, with 195.28 miles

Belknap County has the smallest, with 52.08 miles.

## TOWNS:

The wide range from Rye, with only 0.05 of a mile to Newport, with 24.19 miles of Class VI Roads.

(2) The Director of Recreation of the Forestry and Recreation Commission gives some interesting figures for the fiscal years 1952 and 1953.

The attendance at the State Parks was:

	1952		1953
SUMMER	1,874,541	SUMMER	2,215,640
WINTER	66,060	WINTER	54,171
	<hr/>		<hr/>
Total	1,940,601	Total	2,269,811

Total gross income in 1952 was \$877,468.00 and in 1953 \$947,926.00.

Also this Department estimates that there are from 35,000 to 40,000 persons attending Summer Camps annually. This would seem to be a growing industry that leaves its impress on the younger generation. Most of these Camps are off the heavy traveled highways.

(3) The Fish and Game Department reports Licenses issued and Fees collected for hunting and fishing were as follows:

	1952		
RESIDENT	100,533	FEES	\$287,395.75
NON-RESIDENT	62,675		566,110.00
	<hr/>		<hr/>
	163,208		\$853,505.75
	1953		
RESIDENT	107,043	FEES	\$270,264.25
NON-RESIDENT	65,893		568,505.85
	<hr/>		<hr/>
	172,936		\$838,770.10
INCREASE	9,728	DECREASE	14,735.65



This Department is also issuing a brochure, in the near future, showing something of the impact and the significance of these sports on our business economy.

(4) The State Forester of the Forestry and Recreation Commission states that there were 749 forest fires reported to his office in 1953, which burned over 5,470 acres at an estimated cost for fire fighting (to State and Towns) of \$348,864.00 with a damage of \$59,584.50 to forest growth. The relationship of forest fires to Class VI Highways is a very important point. Time is an essential element in getting to a fire. If roads are not available, one can readily see how fires make such headway. For instance, when the Mt. Shaw and Grantham fires occurred, the State had to bulldoze truck trails and improve old Town roads before getting their equipment to the fire.

The State Forester also reports that the State maintains twenty-nine Lookout Stations on various mountains. The registered visitors at the Stations for 1953 were 41,454. These range all the way from 4 on Sugar Loaf Mountain to 8,335 visitors on Kearsarge Mountain. Why there is such a range between these two is quite obvious. There is an improved road to Kearsarge, while to some other Stations trails must be traveled by foot for a mile or two over old roads.

These figures do not include the visitors who climb the mountains where the Federal Government maintains Lookout Stations through the region of the National Forest. They also maintain some good trails for hiking, and some that lead to ponds where fishing is good.

### *Summary for Part I.*

It is evident in this *Study and Survey*, as briefly outlined above, that between two and three million persons use our various State facilities (both Resident and Non-Resident) and that many of these use or would use Class VI Roads which are suitable for travel. It is common knowledge that our attractions are not confined to numbered highways. Many who are not tourists use such roads for utility and business purposes.

## *II. Findings and Recommendations (First Part)*

- (a) Fire fighters and their equipment must have the use of passable roads.

- (b) Loggers and lumber operators will pay more for stumpage if it is easy of access.
- (c) Abutting owners of dwellings (all season or summer), their families and guests are entitled to modern conditions of travel without breakage or danger. Owners of more distant lands are equally entitled.
- (d) Values increase as accessibility improves, also tax income and income to merchants, Town and State will increase.
- (e) Families will not readily remove from good locations on good roads, nor their adult children tend to leave for easier conditions.
- (f) Ninety percent of game killed, as well as fishing, in State and/or Federal areas are from one-half mile to a mile of auto parking. Improved access to all areas might well lessen the danger to hunters by spreading them out and relieving the congestion. This is also true of picnicking and camping.
- (g) The Committee is agreed that some towns by abandoning certain roads are losing revenue from lack of real estate developments, taxes and incidental spending.
- (h) Some of the best scenic spots for building summer places are on abandoned roads.
- (i) Some of the abandoned roads, where bushes are growing, if trimmed out would make ideal trails for horse-back riders. Many of these old rights-of-way still belong to the Towns.

## *II. Findings and Recommendations (Second Part)*

- (a) Since population figures are on the increase, not only in our State but all over the Nation, (evidenced by our school room space which is almost bursting at the seams) and many of the youngsters will soon be additional hunters, fishermen, sportsmen, and sight-seers, fanning out at the limits of our parking areas; is it, or is it not, better to open up the State and Towns for increased use, instead of following a policy of gradually closing off formerly used areas?

- (b) If the "Forgotten Roads" of a hundred years ago, as might seem possible in some sections, anywhere nearly match the recognized mileage of Class VI Roads, which is 1,226 miles, and many thousand acres of land that was once cleared for farm use has gone back to forest or scrub growth, is there any limit to the abandoning process? Is there anything the State should do to halt this trend? or is it economically unwise to tamper with the trend?
- (c) Class V and VI Highways fall within the province of the Towns to maintain. Fire, insect control, hurricanes, civil defense and education are cooperative Town and State responsibilities, leaving the main road systems as a State responsibility. There must be some sort of workable conditions maintained between the Town and State. No Town can quarantine itself against travel.
- This subject of "Back Roads and Economics" is under present law entirely up to the Towns. Should there be a new law (or further extension of the old law), to allow or require the State to assist Towns in discovering the feasibility of "Abandoning" or retaining those roads that seem of strategic importance to fire fighting, civil defense and insect control?
- (d) Since it seems that it is the prerogative of the Towns, at their annual meeting, to vote on discontinuance of roads and/or make them subject to gates and bars, would it not be possible and better to include in such motions (at least in some instances), along with the gates and bars, the understanding that they be kept up enough to get fire fighting equipment through? Would not the cost be balanced by the benefits?
- We include under this heading a sample article that could be inserted in the Town Warrant, which has already been used in at least one town: "To see if the Town will discontinue the following road as an open highway and make said road subject to gates and bars as provided in Section 9, Chapter 188 of the Laws of 1945. (Description of the road to be closed), with the understanding that this road be kept clear of brush and trees as a fire road by the Town, as

deemed necessary by a committee of five, appointed by the moderator, consisting of a majority of the Board of Selectmen, the District Fire Chief, and two other citizens."

- (e) Should some sort of survey be made in the Towns? The State Forestry and Recreation Department have the personnel for such a survey, — there is the local Town Warden and the District Fire Chief for the area. If these people on the spot decide there is a definite need for the opening of a closed road, the Area Engineer could be called in to estimate the necessary costs to meet the minimum requirements. The initial work might be carried out on a cooperative basis with the State and Town sharing an equal responsibility in the cost. Maintaining such a road would be solely up to the Town. Now, the State and the Town share equally in Forest Fire Suppression costs. Should such a survey be conducted? Would not others find legitimate use for such roads?
- (f) There is no doubt but some of our best scenic splendors are hidden away on "Forgotten Trails" where the foot of the hunter and tourist seldom penetrate and where summer building sites abound. What part does the real estate broker play in advertising these values? Is there anything additional the State can do in further promoting these values, that will be of economic assistance to the towns in which they are located?
- (g) How about the "Publicity Element" in educating Towns to some of the advantages that lie along these roads? For instance, where land is sold for building purposes, or in the purchase and improvement of an old house, a Town can see some sense in maintaining a decent road to such a development, as it will yield tax returns to the Town.
- (h) The personnel from all departments emphasized and called our attention to the fact, that with increased accessibility to the back regions there is increased danger and fire hazard. The minute that even a fire-access route is cleared of brush, that minute some intrepid hiker or hunter is going to use it. Better

accessibility will distribute the hunters and will reduce the attendant hazard of one hunter being shot by another, but it probably increases the fire danger from careless smokers. We'll always have to shoulder some risks from an irresponsible minority, but we need to do all within our power to increase and improve accessibility for the woodsman and hunter who is sane, reasonable and careful in the use of guns, matches, and fire.

Realizing the hazards on one hand and the need for expansion on the other, we recommend an intensive, realistic educational program:

1. (To the youngsters) Through the Commissioner of Education and our School System. (You'll note that the number of resident hunters and fishermen far exceeds those from out of the State.) Let us reach them while their minds are impressionable.
2. (To the youngsters) Through the Extension Service, the State 4-H Club Leader. They may have a project along this line but it could probably be stepped up a bit, in teaching Safe Camp-Fire Building, Putting Out Fires, Cigarette Butts and General Safety Plans.
3. (To adults) Through more of our civic organizations, and especially sportsman groups, who use the lecture platform and micro-film for putting across ideas of danger and safety.

Possibly more supervision could be given in danger areas during peak influx periods. There are life guards at our beaches, but every year someone gets drowned. Every year someone gets lost on a mountain, or breaks an ankle. Do we close our beaches or our mountain trails because someone takes a foolish risk? A forceful educational program through the above mentioned mediums, or others, will have a tendency to reduce hazards.

### Concluding Remarks

We have been quite impressed with the *interdependency* of our different departments of State Government, one department as related to another. For instance, fishing and hunting are both recreational in character. But both of these activities



are so specialized that they are arranged into a separate department. In other words, all fishing and hunting is recreation but not all recreation is fishing and hunting. Much business and all phases and forms of recreation, whether hiking, swimming, skiing, fishing or trailing game, each in turn is more or less dependent on the Forestry Department. Hunters seek for game hide-outs in the woods or on abandoned farms that are half grown over. Fire is one of the worst enemies of the game animal, and prevention or putting out of fires is the prerogative of the Forestry Department, not of Fish and Game. Then in turn, all these departments are quite dependent on our road systems, — the primary roads for covering the long distance from home and the secondary roads for the “fanning out” process, and even the footpath and trails to reach isolated places to avoid over-crowding. Our Planning and Development Commission also has a finger in the pie, in advertising and selling our wonders and natural resources to new visitors. “It pays to advertise.”

New Hampshire is a home and place of business for most of its people and a playground for all New England and especially for the industrial areas, where shorter working weeks, and higher pay, give more people leisure time to spend at different forms of recreation. Roads, better roads, more roads for an increasing population, seems to be the primary need as we look into the future for our State.

Doubtless if any legislation is considered under this report, further study may be made as to details.

ALBERT SCHLINK  
MARY E. PECKETT  
REUBEN MOORE  
JOHN HOAR  
JESSE A. BARNEY

The report was accepted, and was ordered printed in the Journal.

### Resolutions

Mr. Wadleigh of Milford offered the following resolution:

*Resolved*, That the rules regarding smoking from 11 to 12 noon during the sessions of the House which were observed during previous sessions be in force for this session.

The question being on the resolution.

(Discussion ensued)

Mr. Wadleigh of Milford spoke in favor of the resolution. On a *viva voce* vote the resolution was adopted.

On motion of Mr. Tilton of Laconia:

*Resolved*, That the Clerk be instructed to procure 1500 copies of standing committees in booklet form.

Mr. Crandall of Dover offered the following resolution:

*Resolved*, That the salary of the members of the House of Representatives be so divided that any member may receive one-fourth of his salary monthly for the first three months, the balance to be paid at the adjournment of the Session.

*Be it Further Resolved*, That mileage of members of the House of Representatives be paid every two weeks during the session.

The question being on the resolution.

(Discussion ensued)

Mr. Crandall of Dover spoke in favor of the resolution. On a *viva voce* vote the resolution was adopted.

### **Attaches Appointed**

The Speaker announced the following appointments of attaches, each appointment being conditional upon the agreement of the appointee not to charge in excess of 50 miles travel in case his actual mileage should exceed such limit.

Speaker's Page, William Thompson of New Ipswich.

Custodian of the Mails, Fred Abbott of Concord.

Division Pages, James Martin of Concord, Furber Jewett of Wolfboro, George J. Heon of Derry, Joseph Kershaw of Swanzey, Reuben Moore of Bradford.

Coatroom Warden, Oney Russell of Sunapee.

Coatroom Assistant Warden, Fayne Anderson of Warren.

Telephone Messenger, Lucy Weston of Concord.

Clerk's Messenger, Joseph Means of Milan.

Library Messenger, Forrest Bucklin of Laconia.

Speaker's Stenographer, Helene H. Wester of Concord.

Stenographer for Judiciary Committee, Helen Y. Andrews of Tilton.

Stenographer for Appropriations Committee, Eleanor C. Brown of Charlestown.

Mileage Clerk, Alice Pinkham of Northwood.

House Stenographers, Alice V. Flanders of Henniker; Margaret L. Ford of Concord; Marion C. Colby of Concord.

Messenger for Judiciary Committee, Palmer Read of Plainfield.

### **Tellers Appointed**

Division 1—Angus of Claremont.

Division 2—Kearns of Manchester

Division 3—Wadleigh of Milford.

Division 4—Bigelow of Warner.

Division 5—Hart of Laconia.

### **Qualified**

The following named members, having qualified before acting Governor Raymond K. Perkins, appeared during the session and took their seats as members of the House: Mrs. Margaret E. Dustin of Rochester, and Mr. Ernest Barka of Derry.

### **Committee Changes**

The Speaker announced the following committee changes:

Mr. Charland of Franklin from the Committee on Education to the Committee on Liquor Laws.

Mrs. Travis of Portsmouth from the Committee on Liquor Laws to the Committee on Education.

Mr. Aho of New Ipswich from the Committee on Military and Veterans' Affairs to the Committee on Agriculture.

Mr. Bascomb of Acworth from the Committee on Agriculture to the Committee on Public Health.

Mr. Battles of Kingston from the Committee on Aviation to the Committee on Transportation.

Mr. Pettigrew of Manchester from the Committee on Transportation to the Committee on Aviation.

Mr. Smart of Portsmouth from the Committee on Public Health to the Committee on Military and Veterans' Affairs.

Mrs. Sadler of Portsmouth from the Committee on Insurance to the Committee on Liquor Laws.

Mrs. Dustin of Rochester from the Committee on Liquor Laws to the Committee on Insurance.

Mrs. Hayward of Hanover from the Committee on Education to the Committee on Public Welfare and State Institutions.

Mrs. Roe of Newport from the Committee on Public Welfare and State Institutions to the Committee on Education.

On motion of Mr. Wadleigh of Milford the rules of the House were suspended to allow business in order at 3:00 o'clock to be in order at the present time.

On motion of Mrs. Dondero of Portsmouth at 12:00 o'clock the House adjourned.

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THURSDAY, JANUARY 13, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God, Who knowest what we cannot know, and seest what we cannot see, whose eyes behold the hidden secrets of the heart, help us to be honest in Thy sight and before all men. Keep clearly in our minds those oft repeated words: "An honest man is the noblest work of God." Help us our God, to remember that it ill behooves us to deface, by dishonesty and trickery, the masterpiece of Thy handiwork. First of all we beseech Thee, our Strength and our Guide, to help us to be honest to ourselves. Deliver us from that deceptive thinking that we are in the eyes of others what we know, in our own hearts, we are not; and teach us the dominating power of truth. In this day of conflicting circumstances when it requires all our manhood and womanhood to stand by what is right, help us, our God, to be honest to Thee, to one another and to ourselves. We ask it in the name of Jesus Christ our Lord.

### Leaves of Absence

Mr. Parmenter of Londonderry was granted an indefinite leave of absence on account of illness.

Messrs. Payeur of Pembroke, Dana of Laconia, Clement of Landaff and Mrs. Atwood of Sanbornton were granted leaves of absence for the day on account of important business.

Messrs. Urie of New Hampton and Spaulding of Hudson were granted leaves of absence for the day on account of attending a funeral.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Milligan of Newbury, House Bill No. 50, An Act legalizing the biennial election held in the town of Newbury, November 2, 1954. To the Committee on Municipal and County Government.

By Mr. Moher of Dover, House Bill No. 51, An Act relative to standards of proof of subversive activities. To the Committee on Judiciary.

By Mrs. Millar of Claremont, House Bill No. 52, An Act to ratify the New England higher education compact. To the Committee on Education.

By Mr. Scamman of Stratham, House Bill No. 53, An Act relative to highway appropriations. To the Committee on Appropriations.

### Report of Committee on Engrossed Bills

Mrs. Mahoney of Concord for the Committee on Engrossed Bills reported they had examined and found correctly engrossed the following entitled joint resolution:

House Joint Resolution No. 2, Joint Resolution relative to continued duties of the attorney general.

The report was accepted.

Mr. Brown of Marlow submitted the following report:



**COMMITTEE TO  
STUDY STATE OPERATION OF AIRCRAFT**

(Appointed in accordance with Resolution of 1953  
Legislature)

*To Members of the 1955 General Court:*

This report is made in accordance with the provisions of the following resolution adopted by the 1953 Legislature:

*"Whereas, The use of airplanes by certain state departments and agencies has been highly advantageous in many other states and has affected considerable savings to these states, Now therefore be it*

*Resolved, by the House of Representatives, the Senate concurring, That the Governor be requested to appoint a committee of five to serve without compensation to make a study of the feasibility and economy of operation of aircraft by certain state departments. Said committee shall consist of the State Director of Aeronautics, one member of the State Aeronautics Commission, one member of the New Hampshire Aviation Trades Association and two citizens of the state not connected with Aeronautics. The Committee shall report their findings to the 1955 Legislature not later than January 15, 1955."*

The following pertinent amendment of the Aeronautics Act was also passed by the 1953 Legislature:

(Sec. 8-b, chapter 306, R. L. as inserted by chapter 96, Laws of 1953)

**PURCHASE AND OPERATION OF AIRCRAFT.** The commission is hereby authorized to acquire by purchase, lease or otherwise and to maintain and operate such aircraft as may be approved by the governor and council and to provide for the use of such aircraft by other departments and agencies of the state. The commission is further authorized to promulgate rules and regulations relative to use of such aircraft and to establish fees for the use thereof. All fees collected from state departments and agencies hereunder shall be credited to a special fund to be used to pay cost of maintenance and operation of said aircraft. Funds in said special fund shall not lapse but may be used as a revolving fund for the purpose of this section."

Governor Hugh Gregg appointed the following to the committee: Russell Hilliard of Concord, State Director of Aeronautics, W. H. Champlin, Jr., of Rochester, member of the State Aeronautics Commission, James N. Tamposi of Nashua, member of the New Hampshire Aviation Trades Association, Ross Gamble of Hanover, and Remington Woodhull of Newport.

Pursuant to the provisions of the above concurrent resolution, your committee conducted a thorough study and inquiry of the operation of aircraft by public agencies with particular attention to the operation of aircraft by other states and the costs of such aircraft operation. In the discharge of its duties and responsibilities the committee held three meetings and two public hearings.

The committee held an organization meeting on March 3, 1954 to discuss procedures and organization of the committee and its work. The committee held public hearings on March 30, 1954 and again on September 22, 1954 at the State House in Concord. Subsequent to the hearing on September 22, the committee held an executive session to draft the findings and recommendations to the 1955 Legislature. The final meeting of the committee was held on December 10, 1954.

The proceedings of the public hearings were tape recorded and these recordings are on file at the office of the Aeronautics Commission. The following individuals appeared and testified personally:

Sumner A. Dole, Fisheries and Game Department, Management and Research Division.

Bernard Corson, Fisheries and Game Department, Chief of Fisheries.

William D. Beal, Jr., Fisheries and Game Department, Administrative Assistant.

Sumner E. Atherton, Jr., Aircraft Service Operator, Lebanon, N. H.

Harold W. Buker, Jr., President, N. H. Aviation Trades Association.

William E. Martin, Aircraft Service Operator, Concord, N. H.

J. Wayne Ferns, Aircraft Service Operator, Concord, N. H.

John A. Rapsis, Aircraft Service Operator, Nashua, N. H.

Lee D. Bowman, Aircraft Service Operator, Keene, N. H.

Evidence was submitted in writing by Commissioner Frank D. Merrill of the Public Works and Highways Department.

The following documents and data were available for the use and study of the committee members:

1. Copy of Summary of Budget Request and Estimate of Annual Use, dated October 23, 1952. (This information was from various State Departments prepared for and presented to the last Legislature.)

2. Typical Operating Costs of Various Types of Aircraft.

3. Status of Personal Life Insurance of Individuals flying in State-operated aircraft.

4. A "Report to the N. H. Aeronautics Commission on Use of Aircraft in Forest Fires" dated August 10, 1953.

5. "Operating Costs of Piper Tri-Pacer" dated March 26, 1954.

6. "Summary of Operating Costs and Type and Cost of Insurance on Vermont Navion."

7. National Association of State Aviation Official's "Survey of State-owned Aircraft" dated February 25, 1954.

The above listed documents have been filed with the Legislative Reference Division of the State Library and are available there for study by interested individuals.

The committee studied all phases of the matter of State operation of aircraft and in addition to the feasibility and economy of operation it was found that an important matter having a bearing upon the operation and use of aircraft is the status of life insurance of State officials and employees who might fly and ride in State-owned aircraft. The advice and assistance of the Insurance Department of the State was obtained in this matter and that department recommended that in the event the State did own or operate aircraft an accident insurance policy should be purchased by the State to cover these individuals when they are flying on official business in aircraft owned or operated by the State. That department investigated rates for such coverage and obtained the following as being typical:

For a 4-place airplane: \$25,000 for each passenger including the crew.

Annual premium about: \$650.00.

This is based on the rate of \$8.00 per \$1,000 for the pilot and \$6.00 per \$1,000 for each passenger.

The above was confirmed by the testimony of a State employee who flies in connection with his work for the State and who pays approximately that added amount for the aviation risk.

Complete and detailed information concerning past and probable future use of aircraft was presented by the Fisheries and Game Department and the Public Works and Highways Department. The committee was impressed by the use of aircraft to do jobs which can be done in no other way, such as aerial photography, and by the economy in time and money of using aircraft for such jobs as fish planting and wild life surveys. Although no member of the Forestry Department appeared at the hearings and no evidence was presented in any form by that Department, there was available to the committee a substantial amount of information concerning the use of aircraft in forest fires and control. This was in the form of evidence by individuals who have done this work in both New Hampshire and Vermont and in the "Report to the N. H. Aeronautics Commission on Use of Aircraft in Forest Fires," dated August 10, 1953.

This evidence clearly indicates to the committee that aircraft constitute a very valuable and useful tool in forest fire activities.

The information from Public Works and Highways Department indicates that the normal requirements of that department would be about 50 hours flying time annually and that if a high performance airplane were available for general use by that department it could be used advantageously for about 500 hours of flying time a year if the cost did not exceed \$20.00 per hour.

It appears to the committee that the primary use of the first aircraft which may be purchased by the State would not be for the transportation of personnel but as a tool to do certain highly specialized jobs which can be done most effectively and economically by aircraft.

Although the committee did not have the benefit of direct evidence of the extent of pest damage to the woodlands of the State, which make up 84 per cent of our total State acreage, nor did it have direct evidence of the extent to which aircraft



may be used in control of such pests, it is common knowledge that such pest damage is extensive and that control of the pests may be accomplished by the use of aircraft.

Despite ample notice and opportunity, several State departments failed to appear and present evidence which would have been helpful to the committee.

### **Use of Aircraft by Other States**

A survey of State-owned and operated aircraft by the National Association of State Aviation Officials dated February 15, 1954 shows that 37 states operate a total of 261 aircraft, of which 254 are state-owned and 7 are leased. The State of Illinois owns 41 aircraft and all but 6 of the other states reporting own more than one aircraft. The greatest use of aircraft is by educational institutions which own and operate 100 aircrafts. The second greatest user is the aeronautical agencies which own and operate 53 aircraft. Other principle users are the Forestry, Fisheries and Game, Highway and Police Departments.

### **Aircraft Operating Costs**

The operating costs vary with the type of aircraft, the special equipment installed and the number of hours flown annually. Operating costs for 4-place single engine aircraft with a pilot will run from \$15.00 to \$25.00 per hour varying with the type of airplane and based on 300 hours annual use. The cost of leasing aircraft will be very nearly the same. In any case, the rate per hour or per mile to operate aircraft for specialized uses will be insignificant in comparison to the service the aircraft can render.

### **Use of Aeronautics Commission**

Aircraft should be available to the Aeronautics Commission for the purpose of inspecting, maintaining and servicing all air navigation facilities including airports, airways, and radio aids to air navigation. Flight checking of radio aids to navigation is the most important activity which obviously can be accomplished only by aircraft in flight.

### **Findings**

1. That Chapter 96, Laws of 1953, establishes an adequate procedure for the purchase and operation of aircraft by the State.



2. That there appear adequate reasons why certain State Departments could use aircraft to advantage. (Use by Fisheries and Game Department and Public Works and Highways Department and general information concerning the use of aircraft which was available for study by the committee.)

3. That use of an aircraft, properly equipped, is the most effective means of coordinating all agencies and organizations, federal, state, military and private, by interconnecting all radio communications service, both ground and air at one central point.

### Recommendations

1. That aircraft should be made available by purchase or lease to those State Departments which can demonstrate a need for the use of aircraft;

2. That the State should own at least one airplane, incorporating in this one airplane as many features as possible in accordance with its indicated use;

3. That aircraft required for special purposes be leased;

4. That while there appear to be many obvious uses of aircraft, the full potential of the usefulness of aircraft will not be realized until they are readily available and utilized by the various State Departments.

5. That greatest consideration should be given to the capability of the aircraft purchased, for state use, to perform emergency functions in addition to the routine uses outlined above.

Respectfully submitted,

JAMES N. TAMPOSI

RUSSELL HILLIARD

J. ROSS GAMBLE

WILLIAM H. CHAMPLIN, Jr.

REMINGTON WOODHULL

The report was accepted, and ordered printed in the Journal.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled joint resolution, sent up from the House of Representatives:

Joint Resolution No. 2, Joint Resolution relative to continued duties of the Attorney General.

### Announcement

The Speaker announced the appointment of John S. Ball of Hopkinton as messenger for the Committee on Appropriations.

### Communication

The Speaker read the following letter:

Mr. Charles Griffin, Speaker

State House

Concord, New Hampshire

*To the Members of the 1955 House of Representatives:*

GENTLEMEN:

In the past, the Police Department of the City of Concord has cooperated in every way with the members regarding the parking privileges during the session of General Court. The stickers may be obtained from Frederick N. Clarke, Commissioner of Motor Vehicles and will be honored by this department.

We would appreciate it if you would cooperate with us by not parking your cars all night on the streets, due to the problem of plowing during the winter season. We also request that you park, if possible, in non-metered areas. However, we will respect your stickers if your car is parked in any parking area.

I am sure your cooperation with us in this matter will be appreciated by both the merchants and shopping public of Concord.

Should you have any problems while here in Concord during this session of the General Court, kindly call at this station and we will be pleased to assist you.

Yours very truly,

ARTHUR W. McISAAC,  
*Chief of Police*

### Committee Changes

The Speaker announced the following committee changes:

Mr. Stinson of Stratford from the Committee on Appropriations to the Committee on Fisheries and Game.

Mrs. Payette of Portsmouth\* from the Committee on Public Welfare and State Institutions to the Committee on Executive Departments and Administration.

Mr. Trombly of Nashua from the Committee on Executive Departments and Administration to the Committee on Public Welfare and State Institutions.

Mr. Ross of Gorham from the Committee on Municipal and County Government to the Committee on Public Welfare and State Institutions.

Mr. Leclerc of Manchester from the Committee on Public Welfare and State Institutions to the Committee on Municipal and County Government.

Mrs. Sadler of Portsmouth from the Committee on Insurance to the Committee on Liquor Laws.

Mrs. Dustin of Rochester from the Committee on Liquor Laws to the Committee on Insurance.

Mr. Stone of Claremont from the Committee on Municipal and County Government to the Committee on Liquor Laws.

Mr. Marcotte of Claremont from the Committee on Liquor Laws to the Committee on Municipal and County Government.

Mr. Belcourt of Nashua from the Committee on Public Health to the Committee on Appropriations.

Mr. Simoneau of Laconia from the Committee on Fisheries and Game to the Committee on Public Health.

## COUNTY ORGANIZATIONS

### Rockingham County

Parmenter of Londonderry, Chairman; Dondero of Portsmouth, Vice-Chairman; Payette of Portsmouth, Clerk; Executive Committee to be announced.

### Strafford County

Chase of Dover, Chairman; Studley of Rochester, Vice-Chairman; St. Pierre of Rochester, Clerk; Executive Committee, Brown of Strafford, Flanagan of Dover, Letourneau of Somersworth, Crandall of Dover and Clement of Rochester, and Chairman and Clerk, ex-officio.

### Belknap County

Karagianis of Laconia, Chairman; Atwood of Sanbornton, Clerk; Executive Committee, Metcalf of Tilton, Tilton of

Laconia, Ballentine of Laconia, Gardner of Gilford, Simoneau of Laconia, and Chairman and Clerk, ex-officio.

### **Carroll County**

Hodgdon of Tuftonboro, Chairman; Ford of Wolfeboro, Clerk; Executive Committee, Downs of Conway, Hodge of Sandwich, Hayden of Ossipee, and Chairman and Clerk, ex-officio.

### **Merrimack County**

Cilley of Concord, Chairman; Nutter of Epsom, Clerk; Executive Committee, Davis of Hopkinton, Nelson of Concord, Mulaire of Hooksett, McKee of Concord, Charland of Franklin, Gay of New London, Bunten of Dunbarton, and Chairman and Clerk, ex-officio.

### **Hillsborough County**

Casey of Manchester, Chairman; Danforth of Manchester, Clerk; Executive Committee, Kearns of Manchester, Lesmerises of Manchester, Belcourt of Nashua, Shea of Nashua, Farwell of Brookline, Pettigrew of Manchester, Deans of Milford, and Chairman and Clerk, ex-officio.

### **Cheshire County**

Faulkner of Keene, Chairman; Rhodes of Walpole, Vice-Chairman; Lang of Troy, Clerk; Executive Committee, Thomas of Dublin, Bennett of Keene, Tolman of Nelson, Chairman and Clerk, ex-officio.

### **Sullivan County**

Angus of Claremont, Chairman; Bascom of Acworth, Vice-Chairman; Bailey of Newport, Clerk; Executive Committee, Vaughan of Newport, Howe of Claremont, Pierce of Plainfield, DeLude of Unity, Firestone of Claremont, Frizzell of Charlestown, Simms of Claremont, Chairman and Clerk, ex-officio.

### **Grafton County**

Frazer of Monroe, Chairman; Atkins of Hanover, Vice-Chairman; Martin of Littleton, Clerk, Executive Committee, Cole of Lebanon, Carr of Orford, Horner of Thornton, Chairman and Clerk, ex-officio.

### Coos County

Brungot of Berlin, Chairman; Cornelius of Lancaster, Vice-Chairman; Bouchard of Berlin, Clerk; Executive Committee, Alls of Colebrook, Ferguson of Jefferson, Annis of Millsfield, Fortier of Berlin, Stinson of Stratford, Dusseault of Stratford, Chairman and Clerk, ex-officio.

### Resolution

On motion of Mr. Wadleigh of Milford the rules of the House were so far suspended as to allow business in order at 3:00 o'clock to be made in order at the present time and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

On motion of Mrs. St. Pierre of Rochester at 11:31 o'clock the House adjourned.

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TUESDAY, JANUARY 18, 1955

The House met according to adjournment.

Prayer was offered by the Chaplain.

"The Lord is my shepherd, I shall not want." O Thou God of all sufficiency, give us the faith of the Psalmist in Thy Almighty providence. Living as we are, at a time when a large part of the world is teaching an atheistic philosophy, at a time when scientific progress would tend to turn minds toward materialism, at a time when the advancement in military achievement tempts us to believe might is right, help us our God, not to forget Thee nor lose our reliance on Thy providence and protection. Imbue us with that confidence in Thee that will enable us to rise above the enemies of our faith and rest secure in the midst of conflicting ideologies. May we be confident that in the time of bereavement Thou dost go with us "though the valley," in the time of need Thou dost fill our "cup" to the brim, and at all times and under all conditions, "Thy goodness and mercy will follow us all the days of our life." Amen.



### Leaves of Absence

Mr. Dionne of Nashua was granted leave of absence for the day on account of illness in the family.

Mr. McCaffery of Newcastle was granted leave of absence for the day on account of illness.

Mr. Gilbert of Wentworth was granted leave of absence for the week on account of illness.

Miss Bailey of Newport was granted leave of absence for Tuesday and Wednesday on account of important business.

Mr. Tobey of Hampton was granted leave of absence for the week on account of important business.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mrs. Funkhouser of Durham, House Bill No. 54, An Act relative to marine toilets and disposal of sewage from boats. To the Committee on Public Health.

By Mr. Broadhurst of Franklin, House Bill No. 55, An Act providing for the classification of Salmon brook and its watershed. To the Committee on Resources, Recreation and Development.

By Mr. Barney of Rumney, House Bill No. 56, An Act providing for the classification of certain surface waters in Grafton county. To the Committee on Resources, Recreation and Development.

By Mr. Broadhurst of Franklin, House Bill No. 57, An Act providing for the classification of Pennichuck brook and its watershed. To the Committee on Resources, Recreation and Development.

By Mr. Broadhurst of Franklin, House Bill No. 58, An Act providing for the classification of certain surface waters in Cheshire county. To the Committee on Resources, Recreation and Development.

By Mr. Barney of Rumney, House Bill No. 59, An act providing for the classification of Baker river and its watershed. To the Committee on Resources, Recreation and Development.

By Mr. Bisbee of Derry, House Bill No. 60, An Act relative to migratory game birds. To the Committee on Fisheries and Game.

By Mr. Bisbee of Derry, House Bill No. 61, An Act relative to the taking of wild bear. To the Committee on Fisheries and Game.

By Mr. Brown of Marlow, House Bill No. 62, An Act relative to airport zoning. To the Committee on Municipal and County Government.

By Mr. Brown of Loudon, House Bill No. 63, An act to prevent malicious delay of fire alarms. To the Judiciary Committee.

By Mr. Brown of Marlow, House Bill No. 64, An Act relative to aeronautical funds. To the Committee on Aviation.

By Mr. Brown of Marlow, House Bill No. 65, An Act relative to liability in the operation of aircraft. To the Committee on Aviation.

By Mr. Brown of Marlow, House Bill No. 66, An Act relating to fees and licenses for the sale of liquor in restaurants. To the Committee on Liquor.

By Mrs. Funkhouser of Durham, House Bill No. 67, An Act relative to travel expenses of members of the interstate control commission. To the Committee on Executive Departments and Administration.

By Mrs. Funkhouser of Durham, House Bill No. 68, An Act relative to water pollution, reclamation projects. To the Committee on Resources, Recreation and Development.

By Mr. Brown of Loudon, House Bill No. 69, An Act relating to the issue of duplicates of lost deposit books. To the Committee on Banks.

By Mr. Clarke of Canaan, House Bill No. 70, An Act relative to the payment of forest fire expenses. To the Committee on Resources, Recreation and Development.

By Mr. Cole of Lebanon, House Bill No. 71, An Act relative to reimbursement of municipalities for forest fire expenses. To the Committee on Resources, Recreation and Development.

By Mr. Reed of Goffstown, House Bill No. 72, An Act relative to the charter of the Trustees of the Protestant Episcopal Church in New Hampshire. To the Committee on Executive Departments and Administration.

By Miss Spollett of Hampstead, House Bill No. 73, An Act to regulate the sale and distribution of mixed fertilizers and fertilizer material in the state. To the Committee on Agriculture.

By Mr. Pillsbury of Manchester, House Bill No. 74, An Act relating to the Gale Home for Aged and Destitute Women. To the Committee on Banks.

By Mr. Pillsbury of Manchester, House Bill No. 75, An Act to revise and codify the Revised Laws of the State of New Hampshire. To the Committee on Judiciary.

(Printing dispensed with)

Mr. Pillsbury of Manchester moved that the rules be suspended to dispense with the printing of House Bill No. 75, An Act relating to the Gale Home for Aged and Destitute Women.

The question being on the motion to suspend the rules.

(Discussion ensued)

Messrs. Pillsbury of Manchester and Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

### **Report of the Commission for the Revision of the Laws of New Hampshire**

Pursuant to the Laws of 1903, chapter 221, the commission appointed to revive, codify and amend the public laws of this state submitted the above-named report.

The report was accepted, and copies made available at the Sergeant-at-Arms office.

### **Loud Speaker System**

The Speaker read the following letter:

Mr. Charles Griffin, Speaker  
House of Representatives  
Room 124, State House

*Dear Mr. Griffin:*

Complying with the request of a resolution passed by

Representative Brown of Loudon during the 1953 Legislative Session to make a study of the loud speaker system in Representatives Hall and to extend the system to the Gallery, Sergeant-at-Arms Room, and the Coat Room, details which are set forth on the attached letter from Altec Service Corporation of New York City. This company made the present installation as it is today.

There is a possibility that hearing qualities in the House might be improved by a slight readjustment of direction of the three speaker units which hang directly over the Clerk's desk.

If I can be of any further assistance, please feel free to call upon me at any time, as I have gone over this matter quite thoroughly with Mr. McCrea, the company's representative.

Very truly yours,

WAYNE B. ELWELL,  
*Superintendent*

The report was accepted, and the attached letter from the Altec Service Corporation was referred to the Committee on Aviation.

### **Report of the Motor Vehicle Insurance Committee to the Legislative Council**

Pursuant to House Joint Resolution No. 25 of the Session of 1953, the above-named report was presented.

The report was accepted, and referred to the Committee on Insurance.

### **Committee Report**

On motion of Mr. Rainie of Concord, the rules were suspended to allow the introduction of a committee report not previously advertised in the Journal.

Mr. Rainie of Concord, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 5, An Act validating certain proceedings of the Bedford School District, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

On motion of same member, the rules were further suspended to allow third reading and final passage by title only, at the present time.

The bill was then read a third time and passed and was sent to the Senate for concurrence.

### Concurrent Resolution

Mr. Rowell of Newport offered the following concurrent resolution:

*Resolved, by the House of Representatives, the Senate concurring:*

That beginning the second week of February, 1955, the General Court shall hold sessions on Monday, Tuesday, Wednesday and Thursday of each week.

The question being on the concurrent resolution.

(Discussion ensued)

Mr. Rowell of Newport spoke in favor of the concurrent resolution.

Mr. Spaulding of Hudson moved that the concurrent resolution be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. Spaulding of Hudson spoke in favor of the motion.

Mr. Pickett of Keene moved that the concurrent resolution be laid upon the table.

On a *viva voce* vote the motion prevailed.

### Resolutions

Mr. Pickett of Keene offered the following resolution:

*Resolved:* That the provisions of Joint Rule No. 12 be so far suspended as to permit the receipt of bills and resolutions by members of the House up to and including Thursday, January 27; and that any bill or resolution shall be considered as having been received under the provisions of Joint Rule No. 12 if the member introducing the same has requested the drafting service in the office of the Attorney General to prepare a bill or resolution for him as shown by the register in said office and has furnished said drafting service with information



necessary for the drafting of said bill or resolution, prior to five o'clock in the afternoon of Thursday, January 27.

The question being on the resolution.

(Discussion ensued)

Mr. Pillsbury of Manchester spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Geisel of Manchester:

*Resolved:* That the Attorney General, Louis G. Wyman, and the members of his staff be commended by the House of Representatives for their efficient and effective work in making the investigation of subversive activities in this state, as directed by the provisions of chapter 307, Laws of 1953; for the prompt report to the legislature of the results of said investigation and also for the judicial manner in which the examination of witnesses was conducted.

Mr. Lane of Swanzey offered the following resolution:

*Whereas*, we have learned with sorrow of the passing of Ralph A. Blake, former Representative and elected to the present House of Representatives from Swanzey, and

*Whereas*, Mr. Blake had also served as a member of the State Senate and as selectman from his town, now,

*Therefore be it Resolved*, That we, the members of the House of Representatives, pay tribute to our former associate for his services to his town and state, and express our deep sympathy to the family in its bereavement, and

*Be It Further Resolved*, That when the House adjourns today, it be in memory of former Representative Blake and that the Clerk be instructed to transmit a copy of these resolutions to Mrs. Blake.

On a rising vote the resolution was unanimously adopted.

Mrs. Dondero of Portsmouth offered the following resolution:

*Whereas*, One of our members, Thurston A. Smart, Representative from Ward 4, Portsmouth, has passed away, and

*Whereas*, Representative Thurston Smart was a former member of the House of Representatives,

*Therefore be it Resolved:* That we, the members of the House of Representatives, hereby pay tribute to our former member for his services to his city and state, and express our heartfelt sympathy to his family in its bereavement, and

*Be It Further Resolved,* That the Clerk of the House transmit a copy of these resolutions to Mrs. Smart.

On a rising vote the resolution was unanimously adopted.

Mrs. Brungot of Berlin offered the following resolution :

*Whereas,* two of the Representatives from Salem, Howard S. Willis and Anna M. Noyes, were recently wed,

*Therefore Be It Resolved,* That we, the members of the House of Representatives, hereby extend to our fellow members our heartiest congratulations and our very best wishes for a long and happy married life, and

*Be It Further Resolved,* That the Clerk of the House transmit to Mr. and Mrs. Willis a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time.

On motion of Miss Spollett of Hampstead at 12:11 o'clock the House adjourned.

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WEDNESDAY, JANUARY 19, 1955

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

“O Mighty God,  
More surely than of old we trace  
In flaming star and circling world  
And in the tiniest atom unfurled  
Thy awful grandeur and Thy grace.”

Give to us, O God, the vision to see Thee in all things. So many see only the evil in the minds of men and women, that they are blinded to the fact that there can, and may be any good in them; they are so terrified by the destructive power of the hurricane that they count the trees and the homes that have

fallen, and fail to consider those that have had the strength to stand. Deliver us, O God from that defeatist philosophy of life that sees nothing in the world about us but evil; strengthen our vision, that we may pierce the clouds that would enfold us, and behold the Divine Presence. May we enlarge the world in which we live by seeing Thee in all things. Through Jesus Christ our Lord. Amen.

### **Leaves of Absence**

Mr. Nickerson of Madison was granted leave of absence for the week on account of illness.

Mr. Ford of Wolfeboro was granted leave of absence for Wednesday and Thursday on account of important business.

### **Introduction of Bills**

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Karagianis of Laconia, House Bill No. 76, An Act relative to extension of or additions to the Portsmouth-Seabrook Toll Road (known as the New Hampshire Turnpike), the Spaulding Turnpike and the Frederic E. Everett Highway. To the Committee on Public Works.

By Mr. Nelson of Concord, House Bill No. 77, An Act relative to destruction of old insurance records. To the Committee on Insurance.

By Mr. Waling of Keene, House Bill No. 78, An Act relative to motor vehicle weights. To the Committee on Public Works.

By Mr. Colbath of Concord, House Bill No. 79, An Act relative to the number of small claims which may be filed in small claims court. To the Committee on Judiciary.

By Mr. Brown of Lebanon, House Bill No. 80, An Act relative to computation of final compensation for determination of retirement allowance under the employees' retirement system of the state of New Hampshire. To the Committee on Judiciary.

By Mr. Craig of Manchester, House Bill No. 81, An Act relative to penalties for certain motor vehicle violations. To the Committee on Judiciary.

By Mr. Corbett of Concord, House Bill No. 82, An Act relative to qualifications for registration as legislative counsel. To the Committee on Executive Departments and Administration.

By Mr. Rolfe of Rochester, House Bill No. 83, An Act relative to bow and arrow licenses for minors. To the Committee on Fish and Game.

By Mr. Barka of Derry, House Bill No. 84, An Act relative to employment of members of the General Court at race meets. To the Committee on Judiciary.

By Mr. Hurlbert of Errol, House Bill No. 85, An Act relative to hunting and fishing licenses. To the Committee on Fish and Game.

By Mr. Sleeper of Haverhill, House Bill No. 86, An Act relative to tractors or trucks used on snow and snowmobiles. To the Committee on Transportation.

By Mr. Sleeper of Haverhill, House Bill No. 87, An Act relative to motor vehicle inspection stations. To the Committee on Transportation.

By Mr. Sleeper of Haverhill, House Bill No. 88, An Act relative to penalty for failure to surrender motor vehicle license, registration or number plate upon demand. To the Committee on Judiciary.

By Mr. Sleeper of Haverhill, House Bill No. 89, An Act relative to manner of driving motor vehicles, hand signals. To the Committee on Transportation.

By Mr. Brown of Loudon, House Bill No. 90, An Act relating to motor vehicles of minors. To the Committee on Executive Departments and Administration.

By Mr. Chandler of Bartlett, House Bill No. 91, An Act relative to shooting wild animals in the nighttime. To the Committee on Fish and Game.

By Mr. Faulkner of Keene, House Bill No. 92, An Act relative to the mortgage of corporate assets by authority of the board of directors. To the Judiciary Committee.

By Mr. Stinson of Stratford, House Bill No. 93, An Act relative to classification of a certain road in the town of Stratford. To the Committee on Public Works.

By Mr. Willey of Campton, House Bill No. 94, An Act relative to the taking of oysters and clams. To the Committee on Fish and Game.

By Mr. Willey of Campton, House Bill No. 95, An Act relative to the taking of lobsters and crabs. To the Committee on Fish and Game.

By Mr. Wardwell of Portsmouth, House Bill No. 96, An Act relative to pre-packaged meat, poultry and fish. To the Committee on Public Health.

By Mr. Wardwell of Portsmouth, House Bill No. 97, An Act relative to spare or substitute highway toll collectors. To the Committee on Executive Departments and Administration.

By Miss Collyer of Lisbon, House Bill No. 98, An Act providing for a constitutional convention. To the Judiciary Committee.

By Mrs. Griffin of Auburn, House Joint Resolution No. 4, Joint Resolution relative to a study of multiple use of the Lake Massabesic region. To the Committee on Resources, Recreation and Development.

### **Order Vacated**

On motion of Mr. Scamman of Stratham the rules of the House were suspended, and the order whereby House Joint Resolution No. 1, Joint Resolution in favor of Harry J. Ring, and House Joint Resolution No. 3, Joint Resolution in favor of Richard W. Detscher were referred to the Committee on Appropriations was vacated and the joint resolutions were referred to the Committee on Banks.

By Mr. Maxham of Concord, House Joint Resolution No. 5, Joint Resolution in favor of Mrs. Joan Bonner. To the Committee on Banks.

### **Printing Dispensed With**

On motion of Mr. Scamman of Stratham, the rules of the House were suspended to dispense with the printing of House Joint Resolution No. 5.



### Committee Change

The Speaker announced the following committee change: Mr. Hodgdon of Tuftonboro to the Committee on Assignment of Rooms, in place of Mr. Scamman of Stratham.

### Resolution

Mr. Barka of Derry offered the following resolution:

*Whereas*, The members of the House of Representatives have learned with regret of the serious illness and confinement in the hospital of Draper W. Parmenter, serving his 7th session from the town of Londonderry,

*Now Therefore Be It Resolved*, That we hereby express our sympathy for the illness of our fellow representative and our hope for his speedy recovery.

On a *viva voce* vote the resolution was adopted.

### Qualified

Mr. Stanley J. Betley of Manchester having qualified before His Excellency, the Governor, appeared during the session of January 18, and took his seat as a member of the House.

On motion of Mr. Wadleigh of Milford the rules of the House were suspended to permit business in order at 3:00 o'clock to be in order at the present time.

On motion of Mrs. Goodwin of Hollis at 11:32 o'clock the House adjourned.

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THURSDAY, JANUARY 20, 1955

The House met at 11:00 o'clock.

Prayer was offered by guest Chaplain, Rt. Rev. Charles F. Hall, Bishop of the Episcopal Diocese of New Hampshire.

Almighty God, our heavenly Father, we seek Thy guidance as we assemble here in Thy presence. Direct us in our thinking that we may be turned away from all greedy interests and desires which may assault and harm our souls. So at last we shall know with clear vision and clean hearts that we are serving Thee alone, through Jesus Christ our Lord. Amen.

### Leaves of Absence

Mr. Frazer of Monroe was granted leave of absence for the day on account of attending a funeral.

Mr. Mafera of Raymond and Mrs. Goodwin of Hollis were granted leaves of absence for the day on account of important business.

Mr. Benson of Conway was granted an indefinite leave of absence on account of illness.

### Introduction of a Bill

The following bill was read a first and second time, and laid upon the table to be printed:

By Messrs. Abbott and Spaulding of Hudson, House Bill No. 99, An Act legalizing the annual town meeting and certain special town meetings in the town of Hudson.

To the Committee on Executive Departments and Administration.

### Printing Dispensed With

On motion of Mr. Spaulding of Hudson the rules of the House were suspended to dispense with the printing of House Bill No. 99.

### Report of Committee on Engrossed Bills

Mrs. Hayden of Ossipee, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled bill:

House Bill No. 5, An Act validating certain proceedings of the Bedford School District.

The report was accepted.

### Order Vacated

On motion of Mr. Pillsbury of Manchester the rules of the House were suspended, and the order whereby House Bill No. 78, An Act relative to motor vehicles weights was referred to the Committee on Public Works was vacated, and the bill referred to the Committee on Transportation.

On motion of Mr. Rogers of Laconia the rules of the House were suspended, and the order whereby House Bill No. 31, An Act relative to change in classification of highways in Alstead

and Gilsum was referred to the Committee on Transportation was vacated and the bill referred to the Committee on Public Works.

### **Committee Reports**

Mr. Brown of Strafford, for the Judiciary Committee, to whom was referred House Bill No. 27, An Act relative to fees for the recordation of merger and consolidation agreements between business corporations, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Brungot of Berlin, for the Judiciary Committee, to whom was referred House Bill No. 28, An Act relative to printing session laws, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Angus of Claremont, for the Committee on Labor, to whom was referred House Bill No. 24, An Act providing that persons receiving certain federal benefits not disqualified from state unemployment benefits, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### **Report of the Lake Winnepesaukee Development Commission To the General Court**

Pursuant to chapter 188, Laws of 1953, the above-named report was presented.

### **Report of Lake Winnepesaukee Interim Commission on Proposed Sites for a State Park**

This Commission, authorized to make a study of the development of Lake Winnepesaukee, was appointed at the end of the last legislative session by Governor Gregg under chapter 188, Laws of 1953.

The Act instructed the Interim Commission to review all proposals for recreation developments.

Hearings and conferences with local and state officials and the general public for over a year, have resulted in a detailed consideration of 20 sites around the lake which were considered as possibilities for the development of a state park. Many of these sites, visited personally by members of the Interim Commission and other interested citizens and under the guidance of staff members of the Recreation Division, were rejected for various reasons. They did not live up to the criteria established by the Recreation Division for a state park, which includes a sufficient acreage of flat wooded land of a size large enough to handle for all time the recreational potential of the lake; an adequate sandy beach of at least one half mile, with an additional one half mile of water frontage for boat anchorage, etc., easy access from the main highway, and other general terrain characteristics suitable for an attractive park development, yet, at the same time, relatively inexpensive from the point of view of construction costs.

No site was rejected without careful consideration. Many were too small, and several were squeezed between existing private summer recreational developments, which would tend to retard growth of both private and public areas. Consideration of the high cost of land acquisition was an important factor as well as the resulting economic loss to a community from loss of taxable property. Another factor was the minimum disruption caused existing recreational developments whether commercial establishments, summer homes, or organized camps.

A state park is designed primarily to serve as large a number of people as possible, in as many possible ways as the terrain and locale will permit. It serves as a lodestone to attract many visitors to an area, thereby materially contributing to the economic health of the surrounding community. Such a park by its very nature is not designed to be wholly self-supporting as it is impossible to preserve the natural beauty which is a major reason for the park's development, and at the same time commercialize to the degree necessary to make it pay off. One or the other must be dominant.

Experience of the Recreation Division, however, particularly on large, multi-use parks in an area of intense recreational use or in small (beach) parks has indicated that such parks will meet their operational costs and often show a profit

when weather conditions during a hot, dry summer cause greater than normal use of a park.

General characteristics of a park on Lake Winnepesaukee indicate that interest will naturally be centered around activity on or adjacent to the lake. The significance of the lake as one of the State's major attractions calls for a park of major proportion. A small area will soon be over-crowded, dirty, and forest and ground cover worn out, and will not be in proper relationship to the use such a park should provide. This is the case of Endicott Rock at the Weirs, a former state park. Congestion and high maintenance will always plague such a park. This must be avoided on Winnepesaukee at all costs.

Because there are no longer many large tracts of land with good bathing beaches available, the problem of site selection was relatively easy. Unfortunately, however, many of these sites had other deterrents such as high cost, poor location, etc., which had to be taken into consideration.

It must be recognized that land acquisition will be expensive on the lake, and that in order to acquire sufficient shore frontage and back land to have the type of park the lake and the area deserve, will mean a cost which may seem out of proportion in relation to land acquisition of other areas for similar purposes.

As a result of study by technicians of the Recreation Division, the sites indicated below have been accepted by the Interim Commission as having possibilities for development of a major state park, and meeting most of the requirements as set up by the Recreation Division.

Substantiating the outline below is attached data on process as estimated by the Recreation Division on these sites. These estimates are based on their experience in other parks having a similar plant and equipment, and serving similar recreation groups.

#### Site A\* — Long Point — Kona Farm

960 Acres—Meets all the minimum requirements of a state park, and has many other desirable features for future development. Can become the top park in the northeast.

Land acquisition	\$250,000.00
Construction costs	412,000.00
	<hr/>
Total	\$662,000.00



**Site B\* — Salmon Meadow Cove — Kona Farm**

770 Acres—Meets most of the minimum requirements but lacks potential, less attractive, higher construction costs.

Land acquisition	\$168,000.00
Construction costs	407,000.00
	<hr/>
Total	\$575,000.00

**Site C — Camp Tecumseh (Smith Cove to Langdon Cove)**

700 Acres—Meets the major requirements except for its location in relation to the boating public, an important factor. Does not have the potential of site A. Marina costs because of dredging would be high.

Land acquisition	\$128,000.00
Construction costs	429,000.00
	<hr/>
Total	\$557,000.00

**Site D — Long Island — (East Point — Duck Trap Landing)**

200 Acres—Is not adequate in itself or even with the acquisition of adjacent island property. Lacks an adequate bathing beach, good exposure and very little room for expansion. Outcroppings of ledge and rock in some areas near the shore indicates high construction costs.

Land acquisition	\$168,000.00
Construction costs	467,000.00
	<hr/>
Total	\$635,000.00

In view of the above, the commission recommends Site A as being most suitable for a state park on Lake Winnepesaukee.

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\* Inclusion of Kona Farm area — cost of acquisition \$60,000.00. Deduction in construction cost from use of adequate present buildings \$40,000.00, or net increase to A & B of \$20,000.00. Additional acreage acquired from Kona Farm — 130 acres.

## Site Evaluation Factors

Terrain	Site A	Site B	Site C	Site D	
Beach	E	E	E	O	E—Excellent
Forest cover	E	A	A	A	A—Adequate
Drainage	E	A	E	E	O—Inadequate
Exposure	E	A	A	O	
Road access	E	E	A	A	
Water access	E	A	O	A	
Expansion	E	E	A	O	
(Potential)					
Useable area	E	A	A	O	
Water approaches	E	A	O	A	

## Construction

Beach	L	L	A	H	H—High cost
Parking areas	L	A	A	H	A—Average
Roads	A	A	A	A	L—Low
Water system	A	A	A	A	
Campground	A	A	L	H	
Picnic areas	L	A	L	H	
Playfield	L	A	L	H	
Landscaping	A	H	A	H	
Marina					
Small boats	A	A	A	A	
Large boats	A	A	H	H	
Sewage system	A	H	H	H	

Page 3-C is a somewhat more detailed cost breakdown for the four sites. However, while Site A is ideally suited for a park development all other Sites have definite drawbacks. As indicated on the accompanying chart, Site A (960 acres) has the greatest overall potential for a park development. The general topography and the arrangement of the elements thereof are such as to indicate that, of the four sites under consideration, Site A offers the best opportunities for a limited state park development.

Site B (770 acres) has a considerable amount of unusable terrain, from the standpoint of development requirements and topographic conditions. Unlike Site A, this site does not have sufficient or properly related topographic elements to assure

adequate separation of use areas if the same facilities as visualized for Site A are to be included within B. Too long and narrow. Too expensive to operate. Less accessible by boat. Not so good an expansion potential.

Site C (700 acres), except for exposure and accessibility by water, is generally of higher value than Site B. Though not possessing as fine beach potentials as site A, this site does have a distinct advantage in offering the opportunity for developing a very attractive water-side camping area on the peninsula between Smith Cove and Joes Island. Usable area is not as great as in Site A, but advantageous use of an extensive low-land area can be made by creation of a marina for both small and large boats. For a number of years, there has been considerable support given to the idea of constructing a canal across the narrowest part of Moultonboro Neck. If this was done, water access to Site C and to the general Moultonboro Bay area would be considerably improved. This would be expensive. Swamp land reclamation is expensive.

Site D (200 acres) without the inclusion of Cow and Little Bear Islands, does, at best, offer an extremely weak solution to the need for a state park on this lake. The topography, over much of this small area, is steep and rugged. Developments therefore, would be quite restricted in variety and in use capacity. With the inclusion of the above islands the picture becomes considerably brighter but not to such a degree as to compare favorably with the development values of Site A. Has barely enough land to meet minimum requirements. Will be crowded from the first day. Cannot be expanded. Forest cover thin and spotty in places. Beach will have to be man-made as it is not presently sufficient.

For comparison of terrain factors and construction costs, see pages 3 and 3-C.

	Site A	Site B	Site C	Site D
<b>Day Use Areas</b>	\$150,000	\$160,00	\$160,000	\$185,000
Utilities				
Beach				
Bathhouse				
Toilets				

Campground	50,000	50,000	50,000	50,000
Tent Site				
Water				
Toilets				
Sewage				
Picnic Areas	60,000	60,000	50,000	60,000
Roads	40,000	30,000	40,000	40,000
Marina	35,000	30,000	50,000	50,000
Service Buildings, Equip- ment, Etc.	40,000	40,000	40,000	40,000
Public Works and High- ways Fees on En- gineering and Con- tingency	37,000	37,000	39,000	42,000
	<hr/>	<hr/>	<hr/>	<hr/>
	\$412,000	\$407,000	\$429,000	\$467,000
Land Acquisitions	250,000	168,000	128,000	168,000
	<hr/>	<hr/>	<hr/>	<hr/>
Total	\$662,000	\$575,000	\$557,000	\$635,000

At the present time no funds have been allocated in the Recreation Division Capital Budget for such a park development. The budget can, however, be amended to include a sufficient fund for this park or a separate bill may be introduced. There is a question as to whether such a capital expenditure would be wholly self-supporting to the point of paying back its bonded indebtedness as well as operating costs. Because of anticipated high land acquisition costs, the Recreation Division is unwilling to go on record as being able to commit themselves to such a program. They point out, however, that only areas of major importance, attracting large recreational groups operate in the black and also make sufficient income to pay back their bonded indebtedness. It is their feeling that, if land acquisition costs were included from bond payments, and that either a period of grace prior to bond payments is considered or an extension of the amortization period is increased to 20 years, that such a project would have a greater chance for being completely self-supporting. Undoubtedly, all excess income above expenses would be earmarked for bond retirement in order to pay off the bonds as quickly as possible.

They further point out that the importance of boating and the inclusion of a marina for boat anchorage in the park, as well as a longer operating season because of fishing and boating activities, could bring in more income than in a normal park area, with less than normal overhead.

If Legislature were to provide funds for this development, surveys would begin through the Recreation Division and the Department of Public Works and Highways immediately and continue through the summer and fall of 1955, and the park could be opened for the general public by July 1, 1956.

In conclusion we would like to emphasize that, while it is unwise to proceed too quickly and without sufficient study fund for such an extensive project, we are already 20 years too late and are placed in a position where every year less and less land is available for such a development. Public hearings in Wolfeboro, Alton, Gilford, Laconia and Center Harbor have indicated by all present that such a park is long overdue. The longer the delay in providing for such an area, the greater the ultimate cost and the less likelihood there is that this important recreational area will have a park commensurate with the size and the recreational potential of the lake itself.

The commission, therefore, recommends the introduction of a bill for the purpose of establishing a state park on Lake Winnepesaukee.

For the committee, January 18, 1955

Rep. M. B. Hart, Laconia

Rep. F. W. Hodgdon, Tuftonboro

Rep. E. B. Gardner, Gilford

Rep. J. P. Ford, Wolfeboro

The report was accepted, and was ordered printed in the Journal.

The report was referred to the Committees on Resources, Recreation and Development.

### Resolutions

On motion of Mr. Scamman of Stratham:

*Resolved*, That the Speaker be authorized to appoint a committee of three to screen all literature and other publications which private organizations and others desire to have distributed to the members in their seats.



The Speaker appointed as members on such committee, Messrs. Geisel of Manchester, Kearns of Manchester, and Mrs. St. Pierre of Rochester.

On motion of Mr. Faulkner of Keene:

*Resolved*, That the Clerk be instructed to procure five billbinders for each member of the Committees on Appropriations, Executive Departments and Administration, Judiciary, and Ways and Means, and for each chairman and clerk of other committees.

### Monitors for Mileage Boards

Division 1 — Seats 1 to 15

Harry Clarke of Derry

E. Everett Rhodes of Walpole — substitute

Division 1 — Seats 16 to 30

Jesse Barney of Rumney

George Frazer of Monroe — substitute

Division 1 — Seats 31 to 53

Samuel Hadley of Hillsborough

George Carter of North Hampton — substitute

Division 2 — Seats 1 to 20

Doris Spollett of Hampstead

David Deans of Milford — substitute

Division 2 — Seats 21 to 43

Albert Brown of Strafford

Ada Taylor of Whitefield — substitute

Division 2 — Seats 44 to 73

Arthur McAllister of Barnstead

Edward Pierce of Plainfield — substitute

Division 2 — Seats 74 to 91

Clifford Gamsby of Sunapee

Edward Locke of New Boston — substitute

Division 3 — Seats 1 to 20

A. Kenneth Hambleton of Goffstown

Fred Wadleigh of Milford — substitute

Division 3 — Seats 21 to 44

Nelson Burnham of Alstead

Ralph Wiggin of Bedford — substitute

## Division 3 — Seats 45 to 63

James Rathbone of Exeter

Harry Alls of Colebrook — substitute

## Division 3 — Seats 64 to 86

Van Gardner of Littleton

Malcolm Stevenson of Bethlehem — substitute

## Division 3 — Seats 87 to 111

George Corbett of Concord

George Smith of Manchester — substitute

## Division 4 — Seats 1 to 20

Alexander Thompson of Winchester

Thornton Weeks of Greenland — substitute

## Division 4 — Seats 21 to 44

Edwin Chamberlin of Bath

Forrest Cole of Lebanon — substitute

## Division 4 — Seats 45 to 74

Marie Christiansen of Berlin

Raymond Chase of Dover — substitute

## Division 4 — Seats 75 to 90

Ernest Rolfe of Rochester

Andrew Barrett of Portsmouth — substitute

## Division 5 — Seats 1 to 15

Kenneth Bell of Plymouth

Myron Hart of Laconia — substitute

## Division 5 — Seats 16 to 39

Emory Eldredge of Exeter

Warren Metcalf of Tilton — substitute

## Division 5 — Seats 40 to 55

Jerold Ashley of Lebanon

Clarence Peaslee of Wakefield — substitute

Appropriation Committee, Subcommittees and the Departments assigned to each:

*Davis*, Atwood, Taylor, Smith, Belcourt: State Hospital, Public Health, Glenclyff Sanatorium, Soldiers' Home, Mental Hygiene Clinic, Attorney General, State Library, Probation, Water Resources, Cancer, Racing, Water Pollution, Optometry, Chiropractic, Pharmacy.

*Bell*, Hodgdon, Billings, Sheridan, St. Pierre: Public Works and Highways, State Prison, Agriculture, Administration and Control, Personnel, Forestry, Executive, Legislative, Probate Court, Superior Court, Supreme Court, Prison Industries, Planning and Development, Tax Commission.

*Rowell*, Goodwin, Kelley, Tilton, Flanagan: Fish and Game, Motor Vehicle, Industrial School, Liquor Commission, State Police, Banks, Secretary of State, State Treasury, Recreation, Adjutant General, Veterans Council, Aeronautics, Public Utilities, Civil Defense.

*Scamman*, Pillsbury, Walker, Cole, Malley, Bailey: Public Welfare, Education, University of New Hampshire, Laconia State School, Insurance, Retirement System, Labor, Accountancy, Barbers' Board, Chiropody, Fire Control, Hairdressers.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 24, An Act providing that persons receiving certain federal benefits not disqualified from state unemployment benefits.

House Bill No. 27, An Act relative to fees for the recodation of merger and consolidation agreements between business corporations.

House Bill No. 28, An Act relative to printing session laws.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Frizzell of Charlestown at 11:47 o'clock the House adjourned.

TUESDAY, JANUARY 25, 1955

The House met according to adjournment.

Prayer was offered by the Chaplain.

“Hope, like the gleaming taper’s light,  
Adorns and cheers our way;  
And still, as darker grows the night,  
Emits a brighter ray.”

O God, Who hast been the hope of nations and individuals from the dawn of history, protect and guide us today lest we lose our hope in Thee. May we be reminded of the value of that hope when we recall the recent words of imprisoned and rebellious criminals who said: “We want a gleam of hope.” Help us to ever remember that prison walls, or anything that man can do to us, are unable to extinguish that “gleam of hope,” if it is centered on Thy promises. We earnestly beseech Thee, our God, to so strengthen our faith in Thee that we may never barter our hope in the things eternal, for temporal satisfaction and material gain. We ask all in the name of Christ our Lord. Amen.

### Salute to the Flag

Mr. Bishop of Gorham led the convention in the salute to the flag.

### Leaves of Absence

Mrs. Taylor of Whitefield was granted leave of absence for Tuesday on account of attending a funeral.

Mr. Colbath of Concord was granted leave of absence for Tuesday and Wednesday on account of death in the family.

Mr. Aho of New Ipswich was granted leave of absence for the day of account of important business.

Mr. Ayers of Nashua was granted leave of absence for the day on account of death in the family.

Mr. Jewett of Concord was granted leave of absence for Tuesday and Wednesday on account of illness.

Mr. Gilbert of Wentworth was granted leave of absence for the week on account of illness.

### Communication

The following letter was read by the Speaker and was referred to the Committee on Elections.

January 20, 1955

Mr. Charles Griffin  
Concord, N. H.

*Dear Mr. Griffin:*

I received a letter from Mr. Enoch Fuller requesting a written resignation of my being elected as representative for Surry.

As of this date I wish to resign as representative of Surry.

Sincerely,

CARL A. MITCHELL.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Soucy of Manchester, Ward 1, (by request) House Bill No. 100, An Act relative to standards of quality for ammonia. To the Committee on Public Health.

By Mr. Angus of Claremont, House Bill No. 101, An Act relative to exemption from fees for Seeing Eye dogs. To the Committee on Municipal and County Government.

By Mr. Sleeper of Haverhill, House Bill No. 102, An Act relative to use of binder chains on motor vehicles carrying pulp wood. To the Committee on Transportation.

By Mr. Craig of Manchester, House Bill No. 103, An Act relative to motor vehicle operators' occupational licenses. To the Judiciary Committee.

By Mr. Rolfe of Rochester, House Bill No. 104, An Act relative to the prohibition of rifles while hunting raccoon at night. To the Committee on Fish and Game.

By Mr. Dutton of Peterborough, House Bill No. 105, An Act relative to bonded indebtedness of the town of Hancock for water-works. To the Judiciary Committee.



By Mr. Chandler of Bartlett, House Bill No. 106, An Act relative to wounding a human being while hunting. To the Committee on Fish and Game.

By Mrs. Travis of Portsmouth, House Bill No. 107, An Act relative to trusts for care of cemetery lots. To the Committee on Municipal and County Government.

By Messrs. Remick of Tamworth, Roberts of Conway, Benson of Conway, House Bill No. 108, An Act relative to the acquisition of land by the state. To the Committee on Executive Departments and Administration.

By Mr. Comi of Concord, House Bill No. 109, An Act relative to the authority to issue licenses to carry concealed pistols and revolvers. To the Judiciary Committee.

By Mr. Frazer of Monroe, House Bill No. 110, An Act relative to agricultural vehicles and trucks. To the Committee on Transportation.

By Mr. Willey of Campton, House Bill No. 111, An Act relative to special fish and game licenses for members of the armed forces of the United States. To the Committee on Fish and Game.

By Mrs. Travis of Portsmouth, House Bill No. 112, An Act relative to bonds of the City of Portsmouth. To the special committee consisting of the Delegation from the city of Portsmouth.

By Mr. Skinner of Alton and Mr. Ford of Wolfeboro, House Bill No. 113, An Act to provide additional accommodations on public recreational areas. To the Committee on Resources, Recreation and Development.

By Mr. Gamsby of Sunapee, House Bill No. 114, An Act relative to games of beano. To the Committee on Municipal and County Government.

By Mr. Frazer of Monroe, House Bill No. 115, An Act for county cooperative extension work in agriculture and home economics. To the Committee on Appropriations.

By Mr. Brown of Loudon, House Bill No. 116, An act relative to the discharge of firearms. To the Committee on Fish and Game.

By Mr. Colbath of Concord, House Bill No. 117, An Act relative to payment of wages of a deceased person. To the Judiciary Committee.

By Mr. Brown of Loudon, House Bill No. 118, An act relative to taking of wild deer. To the Committee on Fish and Game.

By Mr. Rowell of Newport, House Bill No. 119, An Act granting discretionary authority to probate courts in connection with bonds of trustees. To the Judiciary Committee.

By Mr. Ashley of Lebanon, House Bill No. 120, An Act relating to holidays. To the Committee on Military and Veterans' Affairs.

By Mr. Gauthier of Manchester, House Bill No. 121, An Act prohibiting the sale of bows and arrows in certain cases. To the Committee on Executive Departments and Administration.

By Mr. Gauthier of Manchester, House Bill No. 122, An Act relative to extra pay for the police force in the City of Manchester at certain times. To the special committee consisting of the Delegation from the city of Manchester.

By Mr. Cheney of Newton, House Bill No. 123, An Act relative to the establishment of fishing regulations. To the Committee on Fish and Game.

By Mr. Rowell of Newport, House Bill No. 124, An Act increasing the fee for registration of trade names and partnerships. To the Committee on Ways and Means.

By Mr. Pillsbury of Manchester, House Bill No. 125, An Act repealing a certain appropriation for the so-called children's study home. To the Committee on Public Welfare and State Institutions.

By Mr. Cheney of Newton, House Bill No. 126, An Act relative to brook trout. To the Committee on Fish and Game.

By Mr. Bigelow of Warner, House Bill No. 127, An Act relating to the execution of bonds of the state. To the Judiciary Committee.

By Mr. Scamman of Stratham, House Joint Resolution No. 6, Joint Resolution providing an appropriation for works of improvement on small watersheds. To the Committee on Resources, Recreation and Development.

By Messrs. Remick of Tamworth, Roberts of Conway and Benson of Conway, House Joint Resolution No. 7, Joint Resolution relative to a special committee to study state owned lands. To the Committee on Executive Departments and Administration.

By Mr. Pillsbury of Manchester, House Joint Resolution No. 8, Joint Resolution providing funds for certain classified positions in planning and development department. To the Committee on Appropriations.

By Mrs. Taylor of Whitefield, House Joint Resolution No. 9, Joint Resolution in favor of the County of Coos. To the Committee on Appropriations.

By Mr. O'Shan of Laconia, House Joint Resolution No. 10, Joint Resolution in favor of the New Hampshire Veterans Association. To the Committee on Military and Veterans' Affairs.

By Mr. Gardner of Littleton and Mrs. Martin of Littleton, House Joint Resolution No. 11, Joint Resolution relative to repairs to a bridge crossing the Connecticut river between Dalton, New Hampshire and Lunenburg, Vermont. To the Committee on Public Works.

By Mr. Brown of Strafford, House Joint Resolution No. 12, Joint Resolution providing for two additional county foresters. To the Committee on Appropriations.

By Mr. Vogel of Canterbury, House Joint Resolution No. 13, Joint Resolution in favor of Francis H. Buffum. To the Committee on Appropriations.

### Committee Reports

Mr. Bell of Plymouth, for the Committee on Appropriations, to whom was referred House Bill No. 33, An Act providing for supplemental appropriations for certain state departments, having considered the same, reported the same with the

following amendment, and the recommendation that the bill as amended ought to pass.

Amend House Bill No. 33 by adding after For employees retirement system for normal contributions \$40,000, the following

For Board of Accountancy	\$500.00
Less revenue	500.00

Net appropriation	00
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The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Miner of Meredith, for the Committee on Municipal and County Government, to whom was referred House Bill No. 29, An Act relative to number of write-in votes at primary elections.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mrs. Miner of Meredith, for the Committee on Municipal and County Government, to whom was referred House Bill No. 30, An Act relative to recount of votes after the biennial election.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 5, An Act validating certain proceedings of the Bedford School District.

The message further announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 1, An Act relative to speed regulations for motor vehicles.

Senate Bill No. 5, An Act relative to audit of the accounts of the City of Portsmouth.

### Senate Bills Read and Referred

Senate Bill No. 1, An Act relative to speed regulations for motor vehicles.

Read a first and second time and referred to the Committee on Executive Departments and Administration.

Senate Bill No. 5, An Act relative to audit of the accounts of the City of Portsmouth.

Read a first and second time and referred to the Special Committee consisting of the Delegation from the City of Portsmouth.

### Communication

The Speaker read the following letter:

January 19, 1955

Hon. Charles Griffin  
Speaker of the House  
State House  
Concord, New Hampshire

*Dear Mr. Speaker:*

May I call to your attention the fact that quite a number of representatives individually have called at this office, expressing their displeasure over the present markers being issued to Members of the House.

It would appear they have a desire for a more distinctive number plate. This office has endeavored to comply with the requests of Members of our Legislature, but inasmuch as there appears to be such a division of thought relative to the design of the desired number plate, it is my desire to request you as Speaker, to name a Committee of Three to immediately confer with me at my office for the purpose of considering my proposals for a suitable registration plate for the House Membership.

Your early attention in this matter will be greatly appreciated.

Cordially yours

FREDERICK N. CLARKE,  
*Commissioner*



The communication was referred to the Committee on Transportation.

### Resolutions

On motion of Mr. Willey of Campton:

*Resolved*, That a committee of three be appointed by the Speaker to consult with the Commissioner of Motor Vehicles concerning the use of special plates for legislators.

The Speaker appointed as members of such committee, Messrs. Willey of Campton, Mafera of Raymond and Pickett of Keene.

Mr. Scamman of Stratham offered the following resolution:

*Whereas*, John S. Ball of Contoocook, Messenger of the Appropriations Committee, has passed away, and

*Whereas*, he was a former member of the House of Representatives and also Sergeant-at-Arms of the Senate for several sessions, and

*Whereas*, he served as selectman of the town of Contoocook and deputy sheriff of Merrimack County,

*Therefore Be It Resolved*, That we, the members of the House of Representatives, pay tribute to his services to his town, county and state, and express our deep sympathy to his family in its bereavement,

*And Be it Further Resolved*, That the Clerk of the House be instructed to send flowers to the funeral and to transmit a copy of these resolutions to Mrs. Ball.

On a rising vote the resolution was unanimously adopted.

The Speaker appointed as a delegation to attend the funeral, Messrs. Carpenter of Henniker, Milligan of Newbury, Bigelow of Warner, Mrs. St. Pierre of Rochester, Mrs. Goodwin of Hudson and the Speaker.

On motion of Mr. Willey of Campton:

*Whereas*, the members of the House of Representatives have learned with regret of the serious illness and confinement in the hospital of Charles A. Gilbert, member from the town of Wentworth,

*Therefore Be It Resolved*, That we hereby express our sympathy for the illness of our fellow representative and our hope for his speedy recovery.

### **Printing Dispensed With**

On motion of Mr. Scamman of Stratham the rules were suspended to dispense with the printing of House Joint Resolution No. 9, Joint Resolution in favor of the county of Coos.

### **Resolution**

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only.

### **Third Readings**

House Bill No. 29, An Act relative to number of write-in votes at primary elections.

House Bill No. 30, An Act relative to recount of votes after the biennial election.

House Bill No. 33, An Act providing for supplemental appropriations for certain state departments.

Severally read a third time and passed and sent to the Senate for concurrence.

### **Executive Committee of Rockingham County**

Frank A. Robinson, Chairman, South Hampton; Henry S. Murch, Jr., Portsmouth; George G. Carter, North Hampton; William J. Wardell, Portsmouth; Edwin W. Eastman, Exeter; F. Albert Sewall, Newmarket; Ernest Barka, Derry; Walter Haigh, Salem; Ernest L. Pinkham, Northwood.

On motion of Mrs. Brungot of Berlin at 12:05 o'clock the House adjourned.

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WEDNESDAY, JANUARY 26, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. David Van Strien, Chaplain, New Hampton School for Boys.

O God, Thou Who art the Father of all mankind, unto Thee do we render heartfelt gratitude as we begin the duties

of this another day. Remind us, we beseech Thee, that we have a date with destiny. Remind us, too, that Thou hast adequately equipped us to shoulder the responsibilities that are ours to bear. Thou hast granted us faith. Thou hast vouchsafed unto us freedom. Thou hast endowed us with faculties. Thou hast given us fortitude. Thou hast shared with us fellowship. Help us, we pray Thee, so to act That our faith in that which is good and true may be strengthened; That our freedom may be so used that it may also be the treasured possession of those who come after us; That our fortitude may be so expressed that the perplexing problems that confront us may be wisely and sensibly solved; That our fellowship may be so enjoyed that enrichment may be the portion of all here present and of everyone whom we represent. This we ask, to the perpetuation of our democracy and to the glory of God. Through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mr. Milligan of Newbury led the convention in the salute to the flag.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Pinkham of Northwood, House Bill No. 128, An Act providing for the registration of plumbers. To the Committee on Public Health.

By Mr. Perley of Lebanon, House Bill No. 129, An Act relative to the payment of poll taxes. To the Committee on Executive Departments and Administration.

By Mr. Hodge of Sandwich, House Bill No. 130, An Act relating to the Sandwich Notch and Dale road in the towns of Sandwich and Thornton. To the Committee on Public Works.

By Mrs. Dondero of Portsmouth, House Bill No. 131, An Act relative to false fire alarms. To the Committee on Municipal and County Government.

By Mr. Moher of Dover, House Bill No. 132, An Act relative to rights of members of the Communist party in this state. To the Judiciary Committee.

By Mr. Sanborn of Enfield, House Bill No. 133, An Act to increase the amount of property permitted to be held by the New Hampshire Conference Preachers' Aid Society of the Methodist Church. To the Committee on Executive Departments and Administration.

By Mr. Downs of Conway, House Bill No. 134, An Act to provide for the perambulation of the Maine and New Hampshire boundary line. To the Committee on Appropriations.

By Mr. Carter of No. Hampton, House Bill No. 135, An Act relating to the taxation of house trailers. To the Committee on Municipal and County Government.

By Mr. Lamprey of Moultonborough, House Bill No. 136, An Act relative to school building aid. To the Committee on Education.

By Mr. Pappagianis of Nashua, House Bill No. 137, An Act relative to the sale of spirituous liquor and beverages on elections days. To the Committee on Liquor Laws.

By Mr. Sanborn of Enfield, House Bill No. 138, An Act relative to forest fire protection and appointment of wardens. To the Committee on Resources, Recreation and Development.

By Mr. Walker of Concord, House Bill No. 139, An Act relative to notices for meetings of the city council of Concord. To the special committee consisting of the Delegation from the city of Concord.

By Mr. Spaulding of Hudson, House Bill No. 140, An Act relating to the New Hampshire Veterans' Association. To the Committee on Military and Veterans' Affairs.

By Mr. Perley of Lebanon, House Bill No. 141, An Act relative to the appraisal of taxable property. To the Judiciary Committee.

By Mr. Haley of Keene, House Bill No. 142, An Act relative to employment, suspension and dismissal of teachers. To the Committee on Education.

By Mr. Nelson of Concord, House Bill No. 143, An Act relating to taxation of insurance premiums. To the Committee on Insurance.

By Mr. Geisel of Manchester, House Bill No. 144, An Act relative to the rate of tax on interest and dividends. To the Committee on Ways and Means.

By Mr. Geisel of Manchester, House Bill No. 145, An Act relating to an equalized average income tax rate. To the Committee on Ways and Means.

### Order Vacated

On motion of Mr. Pickett of Keene the order whereby House Bill No. 131, An Act relative to false fire alarms was referred to the Committee on Municipal and County Government was vacated and the bill referred to the Judiciary Committee.

### Committee Reports

Mr. Davis of Cornish, for the Committee on Agriculture, to whom was referred House Bill No. 73, An Act to regulate the sale and distribution of mixed fertilizers and fertilizer material in the state.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Carignan of Rochester for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 22, An Act relative to the care and custody of females transferred to the custody of the State Prison, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by inserting after section 2 a new section as follows:

3. *Expense.* Further amend said chapter 464 by inserting after section 35 a new section as follows: 35a. *Expenses of Confinement.* The expenses of confinement of any such female transferred to the custody of the State Prison shall be paid by the institution making the transfer.

Further amend the bill by renumbering section 3 to read section 4.



The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Carignan of Rochester for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 32, An Act authorizing public inspection of welfare records, having considered the same, reported the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Carignan of Rochester for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 35, An Act relating to the salary of the superintendent of the State Sanatorium, having considered the same, reported the same with the following resolution:

*Resolved*, That the bill be referred to the Committee on Appropriations.

The report was accepted, and the bill referred to the Committee on Appropriations.

Mr. Pickett of Keene for the Judiciary Committee, to whom was referred House Bill No. 51, An Act relative to standards of proof of subversive activities, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being, Shall the bill be ordered to a third reading?

(Discussion ensued)

Messrs. Pickett and Faulkner of Keene spoke in favor of the question.

On a *viva voce* vote the bill was ordered to a third reading.

### **Senate Message**

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had passed bills with the following titles, in the passage of which it asked the concurrence of the House of Representatives:

Senate Bill No. 2, An Act relative to reimbursement to towns and cities for land taken by the United States for flood control.

Senate Bill No. 4, An Act relative to write-in votes for nomination as senator and representative.

### Senate Bills Read and Referred

Senate Bill No. 2, An Act relative to reimbursement to towns and cities for land taken by the United States for flood control.

Read a first and second time and referred to the Committee on Resources, Recreation and Development.

Senate Bill No. 4, An Act relative to write-in votes for nomination as senator and representative.

Read a first and second time and referred to the Committee on Executive Departments and Administration.

### Resolutions

On motion of Mr. Spaulding of Hudson:

*Resolved*, That the office of the attorney general be requested to furnish the Clerk of the House information relative to the number of bills remaining to be drafted as of five o'clock, January 27, together with the names of the sponsors and the title or a brief description of the subject matter thereof.

*Further Resolved*, That the information so furnished shall be printed in the Journal of February 1st.

Mrs. Brungot of Berlin offered the following resolution:

*Whereas*, Mrs. Elsie Colbath, mother of Ada C. Taylor, Representative from Whitefield, and grandmother of Clayton F. Colbath, Representative from Concord, has passed away,

*Therefore Be It Resolved*, That we, the members of the House of Representatives of the New Hampshire Legislature, extend our sympathy to our fellow members in their bereavement,

*And Be it Further Resolved*, That the Clerk of the House transmit to Mrs. Taylor and Mr. Colbath a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

### Concurrent Resolution

Mr. Alexander of Manchester offered the following concurrent resolution:

Memorializing the President of the United States to show clemency to Private John F. Vignault.

*Whereas*, Private John F. Vignault of Goffs Falls in the City of Manchester, a member of the United States Army, has been sentenced to death for a crime committed in Germany during the present hostilities,

*Therefore Be it Resolved*, That the House of Representatives, the Senate concurring, do hereby urge the President of the United States to show clemency to Private Vignault and commute his sentence to life imprisonment;

*And Be it Further Resolved*, That the Secretary of State forthwith send a telegram to President Dwight Eisenhower embodying this sentiment.

The concurrent resolution was referred to the Judiciary Committee.

### Resolutions

Mr. Kearns of Manchester offered the following resolution:

*Resolved*, That the Speaker appoint a committee of three members of the House to investigate and study the costs involved and payments made relative to remodeling the building at the traffic circle, Bridge Street, to be used for the fish and game department. Said committee shall report to the House the results of its study.

The resolution was referred to the Committee on Fish and Game.

Mr. Varrell of Laconia offered the following resolution:

*Whereas*, today, January 26, 1955, is the 63rd wedding anniversary of Elmer S. Tilton, Representative from Ward 3, Laconia, and

*Whereas*, Representative Tilton is now serving his fourteenth term in the House and has served one term in the Senate,

*Therefore Be It Resolved*, That we, the members of the House of Representatives, congratulate our fellow member on this anniversary and extend our best wishes to him and his wife for many more years of happy married life,

*And Be it Further Resolved*, That the Clerk of the House transmit to Representative Tilton a copy of these resolutions.

On a rising vote the resolution was unanimously adopted.

Mrs. Dondero of Portsmouth offered the following resolution:

*Whereas*, Patrolman John E. Coleman of Portsmouth, at the risk of his life and unmindful of his personal safety, dove into ten feet of water in the icy, swift-moving spillway at South Mill Pond in Portsmouth on January 11, 1955, and rescued from drowning six-year-old Patricia Morey, and

*Whereas*, Being burdened down by his heavy winter uniform and service revolver made his feat even more outstanding,

*Therefore Be it Resolved*, That we, the members of the House of Representatives of the New Hampshire Legislature, hereby commend Patrolman Coleman for his bravery and heroism,

*And Be It Further Resolved*, That the Clerk of the House transmit to Patrolman Coleman a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

### Order Vacated

Mr. Kearns of Manchester moved that the order whereby, the resolution pertaining to the investigation of the costs involved in the remodeling of the building at the traffic circle, Bridge Street, to be used for the fish and game department, be vacated and action be taken at the present time.

The question being on the motion to vacate the order.

(Discussion ensued)

Messrs. Kearns of Manchester and Spaulding of Hudson spoke in favor of the motion.

Messrs. Pillsbury of Manchester, Angus of Claremont, and Pickett of Keene spoke against the motion.

Mr. Kearns of Manchester then withdrew his motion to vacate the order.

### Personal Privilege

Mr. Black of Bennington rose to a point of personal privilege and discussed the question of perpetuation of Civil War flags.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only.

### Third Readings

House Bill No. 22, An Act relative to the care and custody of females transferred to the custody of the State Prison.

House Bill No. 51, An Act relative to standards of proof of subversive activities.

House Bill No. 73, An Act to regulate the sale and distribution of mixed fertilizers and fertilizer material in the state.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Griffin of Auburn at 12:06 o'clock the House adjourned.

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THURSDAY, JANUARY 27, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God, whose kingdom is not only an everlasting kingdom, but also a universal kingdom; we turn our thoughts for this brief moment to the great world outside this legislative hall. We look upon a world where nations face each other across border lines with swords and guns; we look upon peoples overpowered by greed and driven onward toward aggression; we see hatred instead of love, distrust instead of confidence, the innocent imprisoned, and Thy name, O God, trodden under the foot of the enemy of our faith. We ask Thee to so lock our fortunes to Thy purpose in these perplexing days that we may be satisfied with nothing less than a world at unity with itself, and for all mankind that mutual trust that will enable all nations to bring glory and honor into Thy kingdom. Through Jesus Christ, the Great Deliverer of mankind. Amen.

### Salute to the Flag

Mr. Metcalf of Tilton led the convention in the salute to the Flag.

### Leaves of Absence

Messrs. Ford of Wolfeboro, Tenney of Chester, and Nute of Farmington, and Mrs. Funkhouser of Durham were granted leave of absence for the day on account of important business.



### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Locke of New Boston, House Bill No. 146, An Act to control motor vehicle and machinery junk yards and public dumps. To the Committee on Municipal and County Government.

By Mr. Beamis of Somersworth, House Bill No. 147, An Act relating to the sale of investments by guardians and trustees of estates. To the Judiciary Committee.

By Mr. Moher of Dover, House Bill No. 148, An Act to authorize summary procedure for judgment in actions of contract to which there is no defense. To the Judiciary Committee.

By Mr. Faulkner of Keene, House Bill No. 149, An Act excusing appearance for motor vehicle violations in certain cases. To the Committee on Executive Departments and Administration.

By Mr. Beamis of Somersworth, House Bill No. 150, An Act to authorize administration of small estates upon giving bond without sureties. To the Judiciary Committee.

By Mr. Beamis of Somersworth, House Bill No. 151, An Act relative to illegal night hunting. To the Committee on Fish and Game.

By Mr. Holden of Hanover, House Bill No. 152, An Act providing for advance sheets of session laws. To the Committee on Municipal and County Government.

By Mr. Faulkner of Keene, House Bill No. 153, An Act relating to attachments. To the Judiciary Committee.

By Mr. Faulkner of Keene, House Bill No. 154, An Act relating to the return of writs in the superior court. To the Committee on Municipal and County Government.

By Mr. Anderson of Concord, House Bill No. 155, An Act relating to the taxation of legacies and successions. To the Committee on Ways and Means.

By Mr. Chase of Dover, House Bill No. 156, An Act to provide coverage for certain civilian employees of the national

guard under the old age and survivors insurance provision of Title II of the Federal Social Security Act, as amended. To the Committee on Military and Veterans' Affairs.

By Mr. Chase of Dover, House Bill No. 157, An Act relative to the military rank of the adjutant-general. To the Committee on Military and Veterans' Affairs.

By Mrs. Goodwin of Hollis, House Bill No. 158, An Act relating to the commission on uniform state laws. To the Committee on Appropriations.

By Mr. Eldredge of Exeter, House Bill No. 159, An Act relative to the salary of treasurer of Rockingham County. To the special committee consisting of the Delegation from Rockingham County.

By Mrs. Webb of Dover, House Bill No. 160, An Act relative to state aid for school transportation. To the Committee on Education.

By Mr. Hadley of Hillsboro, House Bill No. 161, An Act relative to state aid to education. To the Committee on Education.

By Mrs. Herrick of Deering, House Bill No. 162, An Act relative to teachers minimum salaries. To the Committee on Education.

By Mr. Spofford of Jaffrey, House Bill No. 163, An Act relating to taxation of life insurance companies. To the Committee on Ways and Means.

By Mr. Littlehale of Durham, Mrs. Funkhourser of Durham, Mr. Chadbourn of Lee, Mr. Stearns of Durham and Mrs. Wentworth of Madbury, House Bill No. 164, An Act relating to Oyster River Cooperative School District. To the Committee on Municipal and County Government.

By Mr. Chase of Dover, House Bill No. 165, An Act relating to the non-military use of state armories. To the Committee on Military and Veterans' Affairs.

By Mr. Bishop of Gorham, House Bill No. 166, An Act relative to manner of driving motor vehicles. To the Committee on Transportation.

By Mr. Perley of Lebanon, House Bill No. 167, An Act relative to expenditure of state funds on Class IV compact section highways. To the Committee on Municipal and County Government.

By Mr. Pillsbury of Manchester, House Bill No. 168, An Act to coordinate development and regulatory activities relating to the peaceful use of atomic energy. To the Judiciary Committee.

By Mr. Geisel of Manchester, House Bill No. 169, An Act to secure the rights of mortgagees in highway land damage cases. To the Committee on Banks.

By Mr. Angus of Claremont, House Bill No. 170, An Act creating a group life insurance program for state employees. To the Committee on Labor.

By Mr. Shea of Concord, House Bill No. 171, An Act relative to benefits under the Employees' Retirement System of the State of New Hampshire. To the Committee on Executive Department and Administration.

By Mr. Angus of Claremont, House Bill No. 172, An Act relative to mileage rate for state employees using private cars. To the Committee on Appropriations.

By Mr. Battles of Kingston, House Bill No. 173, An Act relative to donations for highway purposes. To the Committee on Public Works.

By Mr. Battles of Kingston, House Bill No. 174, An Act providing funds for highway improvement. To the Committee on Public Works.

By Mr. Stinson of Stratford, House Joint Resolution No. 14, Joint Resolution in favor of the town of Stratford. To the Committee on Appropriations.

By Mr. Scamman of Stratham, House Joint Resolution No. 15, Joint Resolution in favor of the estate of John S. Ball. To the Committee on Appropriations.

By Mr. Willey of Campton, House Joint Resolution No. 16, Joint Resolution relative to special fishing licenses for certain students from foreign countries. To the Committee on Fish and Game.

### Committee Reports

Mr. Geisel of Manchester for the Committee on Banks, to whom was referred House Joint Resolution No. 1, Joint Resolution in favor of Harry J. Ring, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Geisel of Manchester for the Committee on Banks, to whom was referred House Joint Resolution No. 3, Joint Resolution in favor of Richard W. Detscher, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution was referred to the Committee on Appropriations under the rules.

Mr. Geisel of Manchester for the Committee to whom was referred House Joint Resolution No. 3, Joint Resolution in favor of Mrs. Joan Bonner, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution was referred to the Committee on Appropriations.

Mr. Haley of Keene, for the Committee on Labor, to whom was referred House Bill No. 49, An Act relative to benefit rates, earnings in waiting period and merit rates under the unemployment compensation law.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being, Shall the bill be ordered to a third reading?

(Discussion ensued)

Mr. Angus of Claremont spoke in favor of the question.

Mr. Urie of New Hampton spoke against the question.

Mr. Urie of New Hampton moved that the bill be laid upon the table and made a special order for Wednesday, February 2, at 11:01 o'clock.

(Discussion ensued)

Messrs. Geisel of Manchester and Charland of Franklin spoke in favor of the motion.

Messrs. Angus of Claremont and Pickett of Keene spoke against the motion.

On a *viva voce* vote the motion for a special order did not prevail.

Mr. Geisel of Manchester moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

Mr. Geisel of Manchester demanded a roll call, but subsequently withdrew his demand, and his motion.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Lamprey of Moultonborough, for the Committee on Insurance, to whom was referred House Bill No. 21, An Act relating to the par value of the shares of stock of insurance companies.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hadley of Hillsborough, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 15, An Act relative to recordation of liens on real estate for payment of income tax.

Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Income Tax.* Amend chapter 78 of the Revised Laws (chapter 77, R S A) by inserting after section 23 the following new section: 24-a *Lien for Taxes.* No lien upon real estate for taxes imposed by this chapter shall be valid and binding against any other person than the person who is taxable and his heirs, until notice of such lien stating the name and address of the taxpayer and the amount of tax due shall have been filed and recorded in the Registry of Deeds for the county in which such real estate is located.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.



Mr. Hadley of Hillsborough, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 99, An Act legalizing the annual town meeting and certain special town meetings in the town of Hudson,

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### Order To Vacate

Mr. Spaulding of Hudson moved that the order whereby the resolution pertaining to the investigation of the costs involved in the remodeling of the building at the traffic circle, Bridge Street, to be used for the Fish and Game department, be vacated.

The question being on the motion to vacate.

(Discussion ensued)

Mr. Spaulding of Hudson spoke in favor of the motion.

### Speaker's Ruling; Rule No. 6

"The Speaker, unless otherwise ordered by the House, shall refer to the appropriate standing committees all bills, resolutions, memorials, petitions, accounts, and other matters coming before the House . . ." Custom and usage in the House has allowed the Speaker at his discretion to determine whether or not a resolution presented to the House shall be immediately put to a vote or referred to an appropriate standing committee. The Chair, therefore, rules that where the substance of the resolution is such that reasonable men could not differ as to the outcome of the matter contained therein, the resolution shall be immediately put to a vote of the House. But where the substance of the resolution indicates that it concerns a matter, the outcome of which could be subject to dispute by reasonable men, the matter shall be referred as Rule No. 6 directs to "an appropriate standing committee," in order that a representative group as represented by the membership of that particular committee shall determine whether or not the resolution should be put to a vote of the House, either in the form as the resolution calls for or in an amended or altered manner as the standing committee may have determined.

On a *viva voce* vote the motion did not prevail.

### Remarks of Mr. Spaulding of Hudson

Mr. Spaulding of Hudson rose to request that his remarks be printed in the Journal.

Mr. Speaker:

My reason for bringing this matter to the attention of the House at this time is to have the House avoid being censured and possibly ridiculed by the citizens of the State of New Hampshire for inconsistent action on a relatively simple resolution. As stated yesterday by the proposer of the resolution, Mr. Kearns of Manchester, it is apparent that this matter is urgently in need of attention. Also, Mr. Speaker, you will recollect that yesterday I referred to certain investigations being made by the press. I have here through the courtesy of the genial Leon Anderson a proof sheet of this column "The State is my Beat" which he prepared and which appears in the Concord Monitor today. This I shall read in its entirety.

### MY BEAT

This evening we offer a story for folks, who like Governor Dwinell, insist we can stand more efficiency in state government affairs.

It is a tale of the ice house that is being turned into a "fish" house at a cost of some \$150,000, to the consternation of all concerned.

\* \* \* \*

This affair began nearly two years ago when Fish and Game Director Ralph G. Carpenter went to the Governor and Council and said it would be a swell idea to tap his department's surplus for \$41,500 to buy the abandoned Concord Ice company plant, on Bridge street, and spend \$35,000 on renovations. He correctly explained his agency, growing by leaps and bounds in recent years, was sadly in need of more elbow room.

The Governor and Council said okay. Carpenter asked to do the repairs himself, with his department's labor crews. But the law would not permit that. So, under the laws, the Public Works agency had to step in and get the project underway.

As required by law, an architect was hired and the Hunters' firm of Hanover hopped into the picture. Because of the \$35,000 allotment for renovations, the Hunters got a six per cent contract, which is the state's standard allowance for jobs under \$50,000.

The architect came up with elaborate drawings and estimated the projects would cost \$49,000 to complete. So Carpenter hied himself back to the Governor and Council and got the \$35,000 boosted to \$60,000.

\* \* \* \*

Meanwhile, there were other developments. Carpenter and his aides, who made the original \$35,000 estimate, cut out some of the architect's frills. And they cut out a small aquarium, drawn for inside the main floor, for a good reason. The architect apparently did not realize that Concord's chlorinated water would kill fish, and that copper pipes which service the building would also kill any fish, pronto, as Carpenter tells this phase of the story.

The Public Works agency's experts also took issue with a main stairway as laid out by the architect. They drew rough plans for a more modest incline and the architect was asked to redesign the stairway.

\* \* \* \*

The architect's contract called for six per cent of the original \$35,000. But the contract had a clause which said that if the cost became greater, the six per cent would be paid on whatever the amount turned out to be.

The six per cent would have been higher, but it was agreed that Carpenter's own engineers would supervise the job to save some \$1,500 or more.

While the architect was originally scheduled to be paid \$2,100 for his services, he collected an additional \$415 for redesigning the stairway as suggested by the Public Works agency.

\* \* \* \*

Finally, the project was put up for bid. And then came the next blow, because the low bid totalled \$89,637, as submitted by the Harvey Construction company of Manchester.

This sent Carpenter scurrying back to the Governor and Council. He explained he would do his best, and try to cut some of the details in an effort to reduce the \$89,637 cost. But he still needed much more than \$60,000. So, with misgivings, the Governor and Council voted to boost the ante to \$110,000.

Ex-Councilor C. Wesley Lyons of Rochester said if he had known what was to follow, he never would have voted for the \$41,500 purchase. The Fish and Game commission was pre-

sent on that occasion and one member, Prof. Herbert W. Hill of Hanover, admitted he felt the same way.

\* \* \* \*

But Carpenter got his \$110,000, with a pledge that it would be the last plea for more cash for the "fish" house being made out of the ice house.

\* \* \* \*

Director Carpenter learned that the low bid contractor said he would build the original stairway for only \$100 more than the alternate plan which cost \$415 in architect fees. So the original is being installed.

Carpenter negotiated with the Harvey Construction Company and cut certain repair items so the contract was reduced to \$87,921.

But the renovation costs have been climbing ever since. First, as the contractor swung into action, it became known that roof sections needed more work than anticipated. So \$1,090 was added to the contract. Then more wiring was found to be necessary than shown in the plans. So another \$1,526 was tacked onto the contract. And next, believe it or not, another \$534.75 was loaded into the contract for additional phone connections not in the original drawings.

Up to now the architect has been paid considerably more than \$5,500, instead of the original \$2,100. The Fish and Game department is certainly dumping in a neat \$1,500 or more for supervision services. And the Public Works agency, of course, will put the bite on the Fish and Game department for its services, as required by law.

\* \* \* \*

We sat in briefly with Director Carpenter and his commissioners the other afternoon and discussed the strange story of the ice house being made into a "fish" house.

Carpenter and Commissioner Edmund Albec of Andover said if the law had let the Fish and Game department do the work itself, the entire renovations could have been completed for \$50,000 or less. They pointed out, quite properly, that contractors who handle state jobs must pay prevailing union wage rates. Which, for instance, means \$1.89 an hour for laborers on the "fish" house, while the state itself pays common labor but \$1.15 an hour.

\* \* \* \*



But we have another angle in mind. Back in 1950 when ex-Governor Adams reorganized state affairs, the Public Works agency was established for the purpose of avoiding just such loose and rambling spending of state cash as the "fish" house project represents.

This program for centralized and planned handling of state projects never has been given a fair chance, however, because Public Works Commissioner Frank D. Merrill has never given it much attention or support.

We have discussed this several times with Merrill. He always insists the Public Works agency is functioning to the hilt. But we know different. It is but an "orphan" in the state government family, with little or no cash to operate with, not much prestige, and less authority to do what it was set up to do.

\* \* \* \*

We mean, for instance, that the Public Works agency should have stepped into this picture before the \$41,500 was paid for the ice house.

And if the 1953 Legislature had consulted the Public Works people before voting \$280,000 for a children's mental hygiene building, it might have saved embarrassment for the present Legislature, which now must possibly revoke that action because it has been learned it will cost at least \$150,000 yearly to operate the structure.

This rather lengthy article may seem to House members as unnecessary at this time, but in my humble opinion it points out the necessity of positive and definite action on the matter. How silly can we get? Last week the Honorable Member from Manchester, Mr. Geisel, introduced a resolution relative to appointing a committee to investigate and make recommendations for the alleviation of the fire hazard of our balcony immediately in the rear of our hall here. Why was this committee appointed in accord with the resolution at that time? Why didn't the Speaker refer this resolution to the Committee on Public Works? The Geisel resolution comes as much in the jurisdiction of the Public Works Committee as the Kearns resolution does in the jurisdiction of the Fisheries and Game Committee. Are we being consistent? My answer is NO. The next question is "Why?" Is this a maneuver to minimize this matter by burying in a Standing Committee? Is it an attempt to cover up inefficiency and incompetency in any phase or phases



of any division of our State Government relative to this matter?

Do you feel, Mr. Speaker, that the members of this House should lay themselves open to the criticism of the public of our State? It is up to us here this morning to make the decision.—Yes or No.

If the House adopts my motion to vacate, I will immediately offer an amendment to eliminate the special committee of three called for by the resolution and order the Committee on Fisheries and Game to conduct the investigation outlined in the main resolution, otherwise we will be in the childish and foolish position of asking a standing committee of the House to investigate on whether there shall be an investigation, by an investigating committee as provided for in the Kearns Resolution.

This could well result in two or more investigations being made; or having the whole matter covered up by a barrel of whitewash rather than a pail full, as was suggested to me by a member of the House when I walked up the aisle yesterday.

### Resolution

Mr. Faulkner of Keene moved that the rules of the House be so far suspended as to permit a public hearing on the concurrent resolution, memorializing the President of the United States to show clemency to Private John F. Vigneault, which had not previously been advertised in the Journal, to be held Tuesday, February 1, at 10:00 A. M.

The question being on the motion to suspend the rules.

(Discussed ensued)

Messrs. Faulkner and Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 15, An Act relative to recordation of liens on real estate for payment of income tax.

House Bill No. 21, An Act relating to the par value of the shares of stock of insurance companies.

House Bill No. 49, An Act relative to benefit rates, earnings in waiting period and merit rates under the unemployment compensation law.

House Bill No. 99, An Act legalizing the annual town meeting and certain special town meetings in the town of Hudson.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Atwood of Sanbornton at 1:14 o'clock the House adjourned.

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TUESDAY, FEBRUARY 1, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, whose cause we endeavor to uphold and in whose kingdom we claim citizenship, provide us with the armament that is necessary to make us heroes in the moral and spiritual conflicts that confront us from day to day. May we become spiritually and morally militant by taking to ourselves the whole armor prescribed in Thy Word—"the girdle of truth," that we may conquer falsehood; "the breastplate of righteousness," that what we do and say may be free from any semblance of hypocrisy; "our feet shod with gospel of peace," that we may live in harmony with all people; "the shield of faith," our sure protection; "the helmet of salvation" and "the sword of the Spirit which is the Word of God," our sure and effective weapons of offense in this combat between right and wrong we wage each day. We ask it in the name of Jesus Christ. Amen.

### Salute to the Flag

Mrs. Dondero of Portsmouth led the convention in the salute to the Flag.

### Leaves of Absence

Messrs. Mafera of Raymond, Wardwell of Portsmouth, Cary of Manchester, and Merrill of Exeter were granted leave of absence for the day on account of illness.

Mr. Dionne of Nashua was granted leave of absence for the week on account of death in the family.

Messrs. Leary of Portsmouth and Mahony of Manchester were granted leave of absence for the day on account of important business.

### Recess

The Speaker declared a recess and introduced Mr. Brooks McCormick of Chicago.

### After Recess

#### Committee Reports

Mr. Barka of Derry for the Committee on Aviation, to whom was referred House Bill No. 64, An Act relating to aeronautical funds, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fisheries and Game, to whom was referred House Bill No. 60, An Act relative to migratory game birds.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fisheries and Game, to whom was referred House Bill No. 61, An Act relative to the taking of wild bear.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 20, An Act legalizing the biennial election in the town of Newport.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 42, An Act relative to the sewerage system in the town of Jaffrey.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 50, An Act legalizing the biennial election held in the town of Newbury, November 2, 1954.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Faulkner of Keene moved that the rules of the House be suspended to allow the introduction of a committee report not previously advertised in the Journal.

The question being on the motion to suspend the rules.

(Discussion ensued)

Messrs. Faulkner and Pickett of Keene, and Geisel and Donnelly of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Craig of Manchester, for the Judiciary Committee, to whom was referred Concurrent Resolution memorializing the President of the United States to show clemency to Private John F. Vigneault.

Having considered the same, reported the same with the recommendation that the Concurrent Resolution ought to pass.

The report was accepted, the recommendation of the committee adopted, and the Concurrent Resolution sent to the Senate for concurrence.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No 7, An Act relative to the charter of Colby College for Women.

### Senate Bill Read and Referred

Senate Bill No. 7, An Act relative to the charter of Colby College for Women.

Read a first and second time and referred to the Committee on Executive Departments and Administration.

### Report of Special Committee

Pursuant to a Resolution adopted by the House early in January in which the Speaker named Mr. Geisel of Manchester, Chairman, Mr. Thompson of Winchester and Mr. Pickett of Keene, a Committee of three to report to the House not later than February 1, 1955, a study pertaining to fire escapes in the gallery of the House. The committee having completed their duties report the need of such fire escape and will cause to be considered resolutions calling for the expenditure of five thousand dollars (\$5,000.00) estimated cost.

JOSEPH H. GEISEL  
ALEX P. THOMPSON  
LAURENCE M. PICKETT

The report was accepted.

### Recess

The Speaker introduced Prof. Cortez of the University of New Hampshire who instructed the members of the House in the proper method of speaking into the microphones.

### After Recess

### Resolutions

Mr. Belcourt of Nashua offered the following resolution:

*Whereas*, Mary Angelina Dionne, wife of John B. Dionne, Representative from Nashua, has passed away,



*Therefore be it Resolved*, That we, the Members of the House of Representatives of the New Hampshire Legislature, extend to our fellow member our deep sympathy in his bereavement.

*And be it Further Resolved*, That the Clerk of the House transmit to Representative Dionne a copy of these Resolutions.

On a rising vote the resolution was unanimously adopted.

### **Attache Appointed**

The Speaker, on recommendation of the Appropriations Committee, wishes to announce the appointment of Mr. William Palfrey as a messenger for this committee.

### **Resolution**

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### **Third Readings**

House Bill No. 20, An Act legalizing the biennial election in the town of Newport.

House Bill No. 42, An Act relative to the sewerage system in the town of Jaffrey.

House Bill No. 50, An Act legalizing the biennial election held in the town of Newbury, November 2, 1954.

House Bill No. 60, An Act relative to migratory game birds.

House Bill No. 61, An Act relative to the taking of wild bear.

House Bill No. 64, An Act relating to aeronautical funds.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Miner of Meredith at 12:06 o'clock the House adjourned.

WEDNESDAY, FEBRUARY 2, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain Rev. Leslie Strathern, Pastor of Pittsfield and Loudon Congregational Churches.

Our Father, regard us with favor this morning, remembering that we are Thy children. Let us not be haughty and prideful in our independence remembering that our liberty is under God. Keep us from being satisfied with our own plans and schemes and eager to search out Thy will and Thy plan. Teach us to claim righteousness, as a people — before we claim prosperity. Bless, we pray, these legislators that they shall not be energized by the fire of ambition in their task, but motivated by the spirit of service as was Jesus in Whose name we pray. Amen.

### Salute to the Flag

Mr. Ashley of Lebanon led the convention in the salute to the flag.

### Leaves of Absence

Mr. Wardwell of Portsmouth was granted an indefinite leave of absence on account of illness.

Mr. Gilbert of Wentworth was granted leave of absence for the week on account of illness.

Messrs. Estes of Rochester, Chandler of Bartlett, and Merrill of Exeter were granted leaves of absence for the day on account of illness.

Messrs. Anderson of Concord, Urie of New Hampton, Evans of Milton, and Gamache of Manchester were granted leave of absence for the day on account of important business.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mrs. Brungot of Berlin and Mr. Fortier of Berlin, House Bill No. 175, An Act to prevent the interruption of municipal services and to continue good relations existing

between the New Hampshire municipalities and their employees. To the Committee on Municipal and County Governments.

By Mr. Brown of Loudon, House Bill No. 176, An Act to authorize payroll deductions on account of association and/or union dues in the state service of the state of New Hampshire with approval of the governor and council and of employees of subordinate jurisdictions of the state. To the Judiciary Committee.

By Mrs. Brungot of Berlin and Mr. Fortier of Berlin, House Bill No. 177, An Act relative to years of service under employees' retirement system. To the Judiciary Committee.

By Mr. Comi of Concord, House Bill No. 178, An Act to provide that all state employees and employees of political subdivisions shall be subject to the provisions of unemployment compensation. To the Judiciary Committee.

By Mr. Comi of Concord, House Bill No. 179, An Act to authorize the establishment of a basic work week. To the Judiciary Committee.

By Mrs. Brungot of Berlin, House Bill No. 180, An Act relative to coverage of officers and employees of the state and municipalities under the old age and survivors insurance. To the Judiciary Committee.

By Mr. Dutton of Peterborough, House Bill No. 181, An Act relative to fishing and hunting licenses for certain non-residents. To the Committee on Fish and Game.

By Mr. Burnham of Alstead, House Bill No. 182, An Act relative to the use of rifles in shotgun towns. To the Committee on Fish and Game.

By Mr. Sleeper of Haverhill, House Bill No. 183, An Act relating to satisfaction of judgments by motor vehicle owners and operators. To the Committee on Executive Departments and Administration.

By Mr. Burnham of Alstead, House Bill No. 184, An Act relative to honorary hunting and fishing licenses. To the Committee on Fish and Game.

By Mrs. Studley of Rochester, House Bill No. 185, An Act relating to officers of the state committees of political parties. To the Committee on Municipal and County Government.

By Mr. Nelson of Concord, House Bill No. 186, An Act relating to fiduciary powers of trust companies and national banks. To the Committee on Banks.

By Mr. Downs of Conway, House Bill No. 187, An Act providing for giving notice of claims for damages for skiing injuries. To the Committee on Executive Departments and Administration.

By Mr. Craig of Manchester, House Bill No. 188, An Act relative to liability under insurance policies issued to the parents of minor children. To the Committee on Executive Departments and Administration.

By Mr. Weeks of Wolfeboro, House Bill No. 189, An Act relating to the placing of fill in Great pond. To the Judiciary Committee.

By Mr. Pappagianis of Nashua, Mrs. Millar of Claremont, Mrs. Brungot of Berlin, Mrs. St. Pierre of Rochester, Mr. Callahan of Manchester, Mrs. Funkhouser of Durham, House Bill No. 190, An Act relating to discrimination because of race, creed, color, ancestry or national origin. To the Judiciary Committee.

By Mr. Chase of Dover, House Bill No. 191, An Act relative to the practice of dentistry. To the Committee on Public Health.

By Mr. Rainie of Concord, House Bill No. 192, An Act relative to railroad overhead bridges and underpasses and clearings of grade crossing quadrants. To the Committee on Public Works.

By Mr. Maxham of Concord, House Bill No. 193, An Act relative to the care and custody of female convicts. To the Committee on Public Welfare and State Institutions.

By Mr. Geisel of Manchester, House Bill No. 194, An Act relating to real estate mortgages. To the Committee on Banks.

By Mr. Carr of Orford, House Bill No. 195, An Act to provide for the giving of security by owners and operators of

aircraft involved in accidents and to provide for administration thereof. To the Judiciary Committee.

### Committee Reports

Mr. Willey of Campton, for the Committee on Elections, to whom was referred the resignation of Carl A. Mitchell as representative from the town of Surry.

Having considered the same, reported the same with the recommendation that the resignation be accepted and a vacancy be declared to exist in the office of representative from the town of Surry.

The report was accepted and the recommendation of the committee adopted.

Mrs. Nutter of Epsom, for the Committee on Education, to whom was referred House Bill No. 44, An Act relative to granting school districts and cities temporary emergency exemption from the provisions of the municipal finance act.

Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out section 1 and inserting in place thereof the following: 1. *School Districts*. Amend chapter 9 of the Laws of 1953 by striking out the same and inserting in place thereof the following:

### Chapter 9

1. *Authority*. Despite the provisions of section 4 of chapter 72 of the Revised Laws, (the Municipal Finance Act), any school district, and any city which maintains a school department is hereby authorized and empowered to issue its serial bonds or notes for the construction of new school buildings, including the acquisition of land, grading, and the purchase of furniture, furnishings and equipment, or for the alteration, addition and improvement of existing school facilities to an amount not exceeding six per cent of the latest assessed value of the taxable property as last equalized by the tax commission plus the average assessed valuation of the growing wood and timber of such school district or city for the years 1944 to 1948 inclusive, all as determined by the tax commission under the provisions of section 4 of the Municipal Finance Act. Existing outstanding indebtedness of such district or city incurred for school or educational purposes shall be included in



determining the borrowing capacity hereunder provided that in cities the total borrowing capacity for all municipal purposes, including schools, shall not exceed nine per cent.

Amend section 2 of said bill by inserting after the word "city" in the fifth line the words, determined as above, and by striking out the word "facilities" in the seventh line and inserting in place thereof the word, purposes, so that said section as amended shall read as follows: 2. *Bond Issues: Special Cases.* A school district or a city may vote to issue bonds or notes for the purposes set forth in section 1 in an amount in excess of six per cent of the latest assessed valuation plus the five year average value of growing wood and timber of such school district or city, determined as above, but not in excess of eight per cent thereof (in cities not in excess of eleven per cent for all purposes, but in no case more than eight per cent for school purposes), in accordance with the conditions set forth in sections 4, 5, 6 and 7 of this Act. A certified copy of the record of the action of the school district, or the city, as the case may be, shall forthwith be presented to the commissioner of education.

Amend section 3 of said bill by striking out the words and figures "chapter 72 of the Revised Laws as amended by chapter 258, Laws of 1953" in lines three and four and inserting in place thereof the words, the Municipal Finance Act, so that said section as amended shall read as follows: 3. *Municipal Finance Act.* The issuance of serial notes or bonds by school districts or cities under this act shall be governed by the provisions of the Municipal Finance Act, except for the debt limitations upon school districts and cities imposed by section 4 thereof. The debt of a school district or of a city for school purposes created under the provisions of this act and of a school district created under the provisions of chapter 156 of the laws of 1947, or of chapter 55 of the Laws of 1949, or of chapter 9 of the Laws of 1953, shall be excluded in computing the debt limit of counties, towns, cities and village districts under the provisions of section 4, thereof.

Amend section 7 by adding at the end thereof the words, determined as above provided, so that said section as amended shall read as follows: 7. *Approval of Governor and Council.* Upon receipt of the approval of the proposal by the board, the governor and council shall examine the same and if they shall

approve, the record of such approval shall be certified by the secretary of state to the chairman of the school board and the clerk of the district or the mayor of the city and the chairman of the board of education of the city, whereupon said bond issue shall be regarded as authorized as though said issue does not exceed six per cent of the latest assessed valuation of said district or city, determined as above provided.

Further amend said bill by renumbering section 10 to read section 2.

The report was accepted.

Reading of the amendment having commenced, on motion of Mr. Vaughan of Newport, further reading was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Pickett of Keene, for the Judiciary Committee, to whom was referred House Bill No. 75, An Act to revise and codify the Revised Laws of the State of New Hampshire.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wadleigh of Milford, for the Judiciary Committee, to whom was referred House Bill No. 79, An Act relative to the number of small claims which may be filed in small claims court.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Skinner of Alton, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 55, An Act providing for the classification of Salmon brook and its watershed.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barney of Rumney, for the Committee on Resources, Recreation and Development, to whom was referred House Bill

No. 57, An Act providing for the classification of Pennichuck brook and its watershed.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 27, An Act relative to fees for the recordation of merger and consolidated agreements between business corporations.

House Bill No. 28, An Act relative to printing session laws.

The message also announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

### Concurrent Resolution

Memorializing the President of the United States to show clemency to Private John F. Vigneault.

*Whereas*, Private John F. Vigneault of Goffs Falls in the City of Manchester, a member of the United States Army, has been sentenced to death for a crime committed in Germany during the present hostilities,

*Therefore Be it Resolved*, That the House of Representatives, the Senate concurring, do hereby urge the President of the United States to show clemency to Private Vigneault and commute his sentence to life imprisonment.

*And Be it Further Resolved*, That the Secretary of State forthwith send a telegram to President Dwight Eisenhower embodying this sentiment.

The message further announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 8, An Act relative to inheritance taxation.

### Senate Bill Read and Referred

Senate Bill No. 8, An Act relative to inheritance taxation.

Read a first and second time and referred to the Judiciary Committee.

### Resolution

Mesdames Gagnon and Fontaine of Berlin offered the following resolution :

*Whereas*, Walter J. Malloy, a former Representative from the town of Gorham, has passed away,

*Therefore be it Resolved*, That we, Members of the House of Representatives, pay tribute to his services to his town and state, and extend our deep sympathy to his family in its bereavement,

*And be it Further Resolved*, That the Clerk of the House transmit to Mrs. Malloy a copy of these Resolutions.

On a *viva voce* vote the resolution was adopted.

### Committee Changes

Mr. Bishop of Gorham from Military and Veterans' Affairs to Committee on Transportation.

Mr. Langlois of Manchester from the Committee on Transportation to the Committee on Military and Veterans' Affairs.

Mr. Mulaire of Hooksett from the Committee on Public Welfare and State Institutions to the Committee on Public Works.

Mr. Payeur of Pembroke from the Committee on Public Works to the Committee on Public Welfare.

Mr. Nute of Farmington from the Committee on Resources, Recreation and Development to the Committee on Banks.

Mr. Lessels of Concord from the Committee on Banks to the Committee on Resources, Recreation and Development.

Mr. Sherwin of Rindge from the Committee on Ways and Means to the Committee on Banks.

Mrs. Perry of Jaffrey from the Committee on Banks to the Committee on Municipal and County Government.

Mrs. Miner of Meredith from the Committee on Municipal and County Government to the Committee on Ways and Means.

Mr. Annis of Millsfield from the Committee on Banks to the Committee on Aviation.

Mr. Clement of Rochester from the Committee on Aviation to the Committee on Fisheries and Game.

Mr. Stinson of Stratford from the Committee on Fisheries and Game to the Committee on Resources, Recreation and Development.

Mr. Marcotte of Claremont from the Committee on Municipal and County Government to the Committee on Liquor Laws.

Mrs. Wentworth of Madbury from the Committee on Liquor Laws to the Committee on Labor.

Mr. Ballam of Walpole from the Committee on Labor to the Committee on Municipal and County Government.

Mr. Maloomian of Somersworth from the Committee on Resources, Recreation and Development to the Committee on Insurance.

Mr. Gilbert of Wentworth to the Committee on Banks.

Mr. Stevens of Chichester off the Committee on Insurance.

Mr. Bishop of Gorham, Vice-Chairman — Committee on Transportation.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Bill No. 44, An Act relative to granting school districts and cities temporary emergency exemption from the provisions of the municipal finance act.

House Bill No. 55, An Act providing for the classification of Salmon brook and its watershed.

House Bill No. 57, An Act providing for the classification of Pennichuck brook and its watershed.

House Bill No. 75, An Act to revise and codify the Revised Laws of the State of New Hampshire.

House Bill No. 79, An Act relative to the number of small claims which may be filed in small claims court.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Hayden of Ossipee at 12:07 o'clock the House adjourned.



THURSDAY, FEBRUARY 3, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O Lord, give us clean hands, clean words and clean thoughts; help us stand for the hard and difficult right against the easy wrong. Give us, our Father, the strength of that unseen something that we call *Character* that we may walk unscathed amid the destructive powers of our manhood and womanhood. Keep ever before us that inevitable truth that weakness of character is the only defect that cannot be amended — that no change of circumstance can repair that defect. May we remember, that what we do here, and what we say here, toward legislating for our state, is bound to reflect the collective mind of this body, therefore our Father, we do not ask for tasks equal to the powers we possess, but for powers equal to the tasks Thou does set before us. We ask it in the name of Jesus Christ. Amen.

### Salute to the Flag

Mr. Simms of Claremont led the Convention in the salute to the flag.

### BUDGET MESSAGE OF GOVERNOR LANE DWINELL DELIVERED TO THE GENERAL COURT ON FEBRUARY 3, 1955

*Mr. Speaker, Mr. President and Members of the General Court:*

In my inaugural address on January 6th, I said that the most important problem facing this General Court is the budget for the next two years. In the 28 days since that time, I feel more strongly than ever that this statement was correct. During the many hours which I have given to the consideration of the budget, I am increasingly aware that the expenditures of our state government are of paramount importance to our citizens.

Every state dollar must be carefully and thoughtfully appropriated. Over the years the Legislature has insisted that prudent checks and balances be made and the most studious review be given to the appropriation of state funds. I think it in order to briefly summarize the process at this time. The

budget which I am submitting to you today has been in preparation for many months. The various branches of our state government prepared their requests prior to last October 1st. During November and December, my predecessor and I, sitting as a budget committee with representatives of the General Court and the chief fiscal officers of the government, held many hours of hearings. I have reviewed the requests of every department, line by line and item by item, and the recommendations that I am making to you represent my best judgment as to what our expenditures should be for the next biennium.

But the task has only begun. Those competent members who have been selected for your appropriations and finance committees will again carefully review each item of proposed expenditure. And finally, each and every member of this General Court will have his or her opportunity to consider for themselves the monies which will be appropriated for their government.

The final result of our work must not represent the judgment of one man, or of one committee, but rather of all of us, working together to fulfill our constitutional responsibility.

The total recommended appropriation in this budget for the biennium is 102 millions of dollars. We should not overlook the fact that we are appropriating for a two-year period. Our annual, year by year appropriations are 51 millions of dollars. Each dollar in this budget is of equal importance. Each dollar comes from the people. Each dollar should have equal attention from you, whether it be for highways or a state institution, or whether it be derived from a federal grant, a license fee or a direct tax on New Hampshire citizens.

Of the 51 millions of dollars of annual expenditures, 21 millions are for highways and the operation of those departments supported by restricted highway funds; over one million is for our Fish and Game Department, and the remainder of 29 millions are for all other functions of our government which are supported by the general fund. The total net appropriations recommended from the general fund, including debt service, amount to \$18,527,000 for the fiscal year 1956 and \$18,757,000 for the fiscal year 1957.

Our chief concern is for the future. It might be helpful, however, to say a word about the recent past. I would like to repeat the statement from my inaugural address that New

Hampshire has not been living off its surplus ever since the end of World War II. The general fund surplus has never exceeded five and one-half millions of dollars, and has never been less than two millions. We started the current biennium with total available funds (including a substantial welfare surplus) of three and one-half millions. It is estimated that the comparable figure for the end of this biennium on June 30, 1955 will be slightly over two millions, or a decrease of nearly one and one-half millions for the period.

In determining our requirements for the next biennium, at the very outset, we have had to provide a minimum of one and three-quarter millions of dollars annually over and above the appropriations made by the last Legislature. Of this amount, one million dollars is required each year for public welfare to make up for the surplus which no longer exists; \$300,000 annually is for automatic salary increases; \$250,000 more annually for debt service; \$100,000 more for contributions to retirement systems, and \$125,000 to staff, operate and maintain new buildings at certain state institutions, as well as armories recently constructed throughout the State.

The magnitude of the problem which we share is indicated by the fact that if the original budget requests were to be provided, we would have a deficit on June 30, 1957 of six millions of dollars. This figure assumes the continuance of the five dollar Head Tax and includes no provision whatsoever for increased state aid for education. In the recommendations I am submitting to you, I have reduced the budget requests by \$2,300,000 each year, or \$4,600,000 for the biennium.

The budget that I am recommending, which includes a proposed increase in state aid for education, would result in a deficit at the end of the biennium of \$2,200,000. My recommendations for additional revenues to eliminate this deficit will be contained in a separate message which I will deliver to you later this morning.

Approximately 36 per cent of our general fund appropriations are for personal services, namely salaries and wages of state employees. State employees are people, and people mean jobs. A minimum of new jobs has been provided in this budget, almost entirely for those state institutions where there are new buildings and increased patients. New positions once established tend to be a continuing charge. In terms of cost,

my budget recommendations have reduced requested new jobs by \$700,000 in each of the two years. The Legislature itself has recognized the difficulty in controlling expenditures for personal services. It has wisely provided a salary adjustment fund so that the treasury can recover unexpended balances from appropriations for positions which are vacated. While the Governor and Council are authorized to make transfers from the salary adjustment fund, I can assure you that the present Governor and Council will observe the purpose of the fund to the fullest possible degree. This Legislature may desire to place additional checks upon expenditures for personal services to provide further restrictions in the filling of vacant positions. I would welcome such legislation and would offer to cooperate with your committees in working out the details of such a procedure.

Time does not permit a full discussion of each department, but I wish to review with you a few of the major items contained in this budget.

### State Aid for Education

I recommend an increase of \$300,000 annually in state aid for education which will provide total aid of \$1,200,000 per year. In the absence of a new adjusted valuation figure, it is impossible to determine the present requirement for complete fulfillment of the existing state aid formula. However, the amount I recommend is in excess of the amount determined necessary on the basis of the last calculation for state aid. I should point out that this is the only area in which I have recommended an appropriation in excess of that requested by a department. The State Board of Education made no specific request for an increase over the existing level of state aid, but in order to submit a budget and form a basis for determining necessary revenues, it is obvious that such a sum must be determined. This appropriation for state aid should, in my opinion, continue to be allocated strictly on the basis of need. If my recommendation is adopted, it will provide the largest amount ever appropriated in the history of the State for equalized educational aid.

### Health

My recommendations for the Department of Health are considerably in excess of current appropriations, due princi-



pally to the decrease in federal funds which will be available for the next biennium. Our health department comprises 14 different divisions, all of which are partially supported by federal money. If federal funds continue to be withdrawn, the State must face further increases in appropriations to maintain all of the functions in which we are presently engaged, or else we must follow the course of some other states in entirely eliminating certain functions.

### Institutions

The net appropriations for our six state institutions total \$5,300,000 annually and represent one-third of our general fund appropriations. Our State Hospital, with its 2800 patients and 805 personnel is a small city in itself. There has been a steady increase in the number of patients at the institution requiring new buildings and additional staff. The recommended increase in the budget for the State Hospital provides for minimum requirements to staff and operate new facilities and provide for the increased patient load.

I should like to speak for a moment about a unique situation at the State Hospital with regard to its increasing population. People are living longer. In 1900 the average life expectancy was 47 years; today it is 70. This increase of almost 50 per cent in life expectancy in a matter of half a century has created a complex problem, for while the body continues to function, the mind may deteriorate to a point where the more elderly person must be institutionalized. Consequently, each year we find that we are required to receive in our State Hospital a greater number of older citizens.

Still another problem is developing which affects the patient population. Our records show that more and more young persons, and even older ones, are being discharged quicker than ever before because of modern psychiatric methods. In order to return patients to their families and communities with a renewed ability to earn their living, those who are deemed the most rehabilitable, must spend all their time participating in a concentrated program of treatment. This forward-looking program has resulted in a decrease of more than 100 patients, who are physically the most capable, available for many jobs which now must be filled by adding to the payroll.

There is another important reason for our patient increase. More and more of our citizens have become more and



more confident in the State Hospital as a place where mental illnesses receive the best possible treatment. Consequently, a greater number of persons are now voluntarily seeking treatment. In the past they have been reluctant to submit to it

At the Laconia State School, there is also the problem of increased staff for new buildings and for the requirements of an increased number of students. It is also necessary to provide additional funds for adequate maintenance of the substantial facilities involved. My recommendations include provision for seven new attendants, four cottage parents, three new charge nurses and other personnel, for a total of 18.

### **Children's Study Home**

The last Legislature reauthorized a bond issue of \$280,000 for the construction of a Childrens' Study Home on the grounds of the State Hospital. This was a continuation of a program originally started by the 1947 Legislature. Estimates made two years ago showed some \$70,000 as an annual operating budget for this function. Budget requests submitted to me now show an estimate of over \$150,000, or more than double that of two years ago. I have not recommended this expenditure in the budget that I am submitting to you. It is my belief that you will wish to review this entire project during the current session, since only preliminary plans have yet been made for the building itself. After consultation with the trustees, I have directed that any further plans be held in abeyance pending your final decision.

### **Forestry and Recreation**

The principal increases recommended for the forestry division are to replace much equipment consumed in the two devastating forest fires which occurred in the summer of 1953. Additional equipment is also recommended for a more effective protection against a recurrence of these very costly catastrophies.

The Legislature in recent years has required that the recreation division be self-supporting. My recommendations are in accordance with this policy, even though it has been necessary to make very sharp reductions in the budget requests of this department. It should be pointed out that very substantial fixed charges have been added to the recreation budget to support capital improvements authorized by the last two Legis-

latures. These increased charges for debt retirement and interest payments amount to over \$70,000 in each year of the bien-nium. In my opinion, the recreation department cannot absorb any further charges for capital outlay within the scope of its present revenues. In order to be on a self-sustaining basis, it will be necessary for the recreation department to increase its charges, decrease its operating expenses and possibly, as an extreme measure, close some of its installations.

### **Planning and Development**

The Planning and Development Commission has had three broad areas of activity; promotion, industrial development and planning. During the past year, an agricultural development activity has also been inaugurated. In addition, the budget of planning and development includes \$21,000 annually for grants to the six regional associations, as well as an appropriation for the maintenance and operation of the New Hampshire building at the Eastern States Exposition.

It will be recalled that the 1951 Legislature, unwisely in my opinion, greatly reduced the appropriation for this function of our government. The 1953 Legislature increased the appropriations, particularly for white-space advertising. I recommend a further modest increase in the appropriation for advertising and for pamphlets and other publicity material. I recommend that sufficient funds be provided for an additional publicity writer and for other personnel in order that the department may adequately service the very substantial increases in inquiries about New Hampshire which have been generated by the promotion program. Some increase in funds for a greater participation in out-of-state shows and exhibits is also recommended.

### **Motor Vehicle**

The increases recommended for the Motor Vehicle Department outside of normal salary increments result chiefly from the increased volume of business due to ever greater numbers of motor vehicle registrations. My budget recommendation does not include additional funds for the expansion of the highway safety program. There is pending before you a bill which would increase certain fees in the inspection activities of the department, and if you see fit to grant these increases, I would recom-

mend that the funds derived therefrom be allocated for the highway safety program.

### **University of New Hampshire**

Much attention has been given to the problems of the state university. Your own Legislative Council made study of the university's fiscal needs. Their report has already been laid before you without specific recommendations in terms of dollar appropriations. The original budget request of the university called for an increase of nearly one million dollars for the next two years. The additional funds were to be used principally for salary increases, the construction of a new library and an additional women's dormitory. By raising tuition rates, by deferring for one year the debt service charges for the library, and by raising room rents, the trustees have reduced their request nearly in half. I have made further reductions so that my recommendation to you contemplates an increase over the current appropriation of \$121,000 for the fiscal year 1956 and \$265,000 for the fiscal year 1957. I believe that the problem of the university should have further intensive study by you. Areas which should be explored include the adequacy of compensation for instructional personnel, the percentage of out-of-state students to the total enrollment, the adequacy of tuition rates, particularly for out-of-state students, and the extent to which the State can assume additional bonded indebtedness for new construction. My budget recommendations are based on same further allowance for salary increases and on the belief that a new library is necessary for the institution.

### **Public Welfare**

Were it not for the so-called medical welfare program, our financial problem with respect to the operation of the Department of Public Welfare would be much less demanding. The number of recipients of welfare benefits has steadily decreased and for the biennium ending in 1953 the welfare department showed a balance of over two million dollars. This balance permitted a reduction in the appropriation for the present biennium. Although the caseload has continued to decline, the costs of the medical welfare program have increased. "Medical welfare" is an all-inclusive term. It principally includes hospital charges, physicians' and surgeons' fees and pharmacists' charges for drugs and medicines, although there are other expenses in this program.

The welfare department requested an annual over-all increase of \$700,000 in state funds for all the functions of the department. I am recommending that this be reduced to \$200,000 annually. I firmly believe that we must hold the line against any increased costs of the medical welfare program.

The medical welfare program is supported on a matching basis with federal, state and local funds. However, because of the limitations of federal participation, further increases would have to be financed practically entirely by state and local funds. My reductions of \$500,000 in state funds have automatically reduced the need for local matching funds by \$170,000 annually.

The extent of our plight in the medical welfare program is indicated by the fact that we are even now operating at a rate of expenditure in excess of current appropriations. I have directed the welfare department to take immediate steps to prevent an over-run of appropriations between now and the end of the current fiscal year.

### Fish and Game

While it has been the policy of the General Court to restrict fish and game revenues for the exclusive use of the department, it is only prudent management to require the same careful scrutiny of expenditures as should take place in all other functions of government. My recommendations for expenditures are considerably less than the budget request of the department. I have recommended that state-owned vehicles be provided for a substantial number of personnel who travel in excess of 15,000 miles annually. This will result in substantial savings. I have made the same recommendation in other departments which show a high mileage operation of privately-owned vehicles.

### Highways

In 1951, a 15-year highway improvement plan was adopted by the Legislature. The financing of this plan called for total bond authorizations of 20 million dollars. Fourteen million dollars was actually authorized in 1951 and five million dollars in 1953. The original plan called for New Hampshire to match federal funds, slightly in excess of two million dollars a year. Since that time, federal aid to the State has increased to four and one-half million dollars a year. Without an additional



authorization of two and one-half million dollars by the present Legislature, we will be unable to fully match federal funds in the coming biennium.

I find that a very close liaison has been maintained between the Department of Public Works and Highways and the State Treasurer to the end that authorized bonds have not been issued until the money was actually required. This has resulted in material savings in interest charges. As a matter of fact, even with the requested increase in bond authorizations over and above the original plan, there will be a decrease in interest charges of some \$200,000 from the estimates made in 1951.

The Department of Public Works and Highways has prepared its budget so that it can be readily adjusted to conform to the desires of the Legislature with respect to authorizing additional bonds. It is my feeling that the additional authorization should be provided since in excess of five million dollars of needed construction must be eliminated if the additional bonds are not approved. I have noted that the report of the Highway Advisory Committee to the President recommends procedures which can be highly advantageous to New Hampshire, but denied us if we fail to provide for the matching of currently available federal funds.

While I am generally reluctant to see our authorized bonded debt increase, I believe in this instance we should not hesitate to take the necessary action, particularly since we are reducing highway obligations at the rate of \$1,000,000 annually.

There are certain expenditures for which I have made no specific recommendation in this budget, such as an appropriation for a Constitutional Convention and for such sums as you may desire to provide for the reimbursement fund in connection with the Forest Conservation Law. I believe that the amounts of these appropriations should be decided by you, but I have provided sufficient latitude between my estimates of revenues and expenditures for any reasonable appropriations you may desire to make.

With respect to the reimbursement fund, which has heretofore been financed through the issue of bonds, I strongly recommend that future payments be provided through regular legislative appropriations.



### Debt Service

Bonded indebtedness results primarily from capital expenditures and is, therefore, related more closely in the first instance to the capital budget, the requirements for bond retirement and interest charges become a part of the operating budget. Debt service appropriations from the general fund amount to \$1,346,000 in the fiscal year 1956 and are reduced to \$1,111,000 in the fiscal year 1957 due to the full retirement of the capital improvement bonds issued in 1948. Total outstanding bonds which must be supported by general fund appropriations amount to 13 million dollars. General fund bonds authorized and unissued amount to 11 million dollars and are to a large extent authorizations for employees' and teachers' retirement systems, which will be issued over a long period of time.

In conclusion, let me summarize my approach to this budget.

1. I have recommended no additional boards, commissions, departments or functions of state government.

2. I have provided those funds required by law for salary increments, debt service and retirement contributions.

3. I have assumed that it would be your desire to provide for the operation of new facilities authorized by previous Legislatures which are now actually under construction.

4. I have provided an increase for state aid to education as previously noted.

5. I have recommended such additional appropriations as, in my opinion, are necessary for the minimum additional requirements of our government.

At the outset of this message, I said that the consideration of the budget is a joint responsibility of the Governor and the General Court. While we may disagree on the details, we must agree upon one point which is the most important consideration of all. We must agree that this General Court will not adjourn to go home until it has brought the budget into balance, until it has either provided sufficient revenues to meet the appropriations made, or has reduced the appropriations within the revenues which are available. My experience tells me that this is a fundamental philosophy of New Hampshire people which has been reflected in the actions of previous Legislatures. It is a philosophy which knows no party lines and which requires both moral and political courage.

**SPECIAL MESSAGE OF GOVERNOR LANE DWINELL,  
RECOMMENDING CERTAIN REVISIONS  
OF THE TAX STRUCTURE  
DELIVERED TO THE GENERAL COURT  
ON FEBRUARY 3, 1955**

*Mr. Speaker, Mr. President and Members of the General Court:*

Budgets depend on revenues to fulfill need.

The budget I have just submitted to you is predicated upon the production of certain additional revenues by legislation which I will now recommend.

This special message upon the subject of taxes is being delivered to the General Court under the provisions of Section 5, Chapter 360, Laws of 1953, wherein the Governor was directed to recommend in a special message to this General Court, legislation in substitution or revision of all taxes assessed and collected by the State and its political subdivisions. To assist the Governor in his examination of taxes, there was created a Commission to Recommend Reorganization of the Tax Structure. This Commission is to be commended for the comprehensive report, which it has submitted.

I am in general accord with the Commission's recommendations for increases in the primary sources of state revenues. I cannot adopt, however, the Commission's recommendation with regard to diminishing revenues by the repeal or reduction of taxes imposed under our present laws. This conclusion and my review of this report were guided by the minimum revenue requirements of the State to meet the appropriations proposed to you in my budget message. To balance the budget, we must face the eloquent fact that we require additional revenues, over and above those produced by existing taxes, of \$2,200,000 for the biennium, July 1, 1955, to June 30, 1957. We cannot, therefore, sacrifice any of our present revenues. Our problem is, rather, to produce additional revenues.

First of all, it should be emphasized that the deficiency in revenues of \$2,200,000 for the next biennium assumes the continuance of the head tax. Without the enactment of the head tax, the deficit at the end of June 1957 would be \$5,000,000. Therefore, my first recommendation is that the present \$5 head tax be reenacted for another two years.

To assure sufficient additional revenues to provide for a balanced budget and to avoid deficit financing, I expressly recommend the following legislation:

1. An increase from 15 to 20 percent, equivalent to one cent per pack, in the tax on cigarettes to produce an additional \$650,000 annually;

2. An increase from 5 to 6 percent in the State's tax on pari-mutuel betting to produce an additional \$420,000 annually;

3. An increase in fees of domestic and foreign corporations and partnerships and individual proprietorships to produce an additional \$70,000 annually;

4. Assessment of public utilities to reimburse the Public Utilities Commission for a portion of regulatory expenses to produce a minimum of \$60,000 annually.

The total additional revenues to be anticipated from the above recommendations is \$1,200,000 annually.

Dramatic change from proven social and tax policies is foreign to our concept of orderly progress in government. No tax, to my knowledge, has ever been imposed upon the citizens of this State which pleased all the people. We must recognize three basic truths; first, that taxes are inevitable to meet the minimum justifiable needs of government; second, that no tax has yet been devised which, in the opinion of some, is not inequitable; and, third, that drastic revision of the existing tax structure should not be attempted until we have utilized to the most reasonable extent proven and traditional sources of revenue.

### **The Tobacco Tax**

The Tax Study Commission recommended an increase in the tax on cigarettes and the elimination of the tax on all other tobacco products. Due to a serious miscalculation, it is now apparent that the overall commission recommendation would result in practically no net increase in revenues to the State. Accordingly, I have no alternative but to recommend that the tax on cigarettes be increased one cent per pack and that the tax on other tobacco products remain at its present level. I realize that there is some question of constitutionality in-

volved, and you will undoubtedly desire to seek an opinion of the Supreme Court. If the Court should hold that cigarettes and other tobacco products cannot be taxed at different rates, then, it is my position that the tax on other tobacco products must also be increased to the same rate as the tax upon cigarettes. In our present budgetary situation, we cannot, under any circumstances, afford to lose \$360,000 of revenue obtained from the tax upon tobacco products other than cigarettes.

### **Tax on Pari-Mutuel Betting (Horse Racing)**

While the State receives substantial revenues from pari-mutuel betting, it is not receiving its fair share of the total. The total commission, or "take-out," presently permitted under the law is  $11\frac{1}{2}$  percent of each dollar wagered. The State's share is 5 percent of the pari-mutuel handle, plus 50 percent of the breakage. The track's share is  $6\frac{1}{2}$  percent of the pari-mutuel pools, plus 50 percent of the breakage. It is my recommendation that the State's share be raised from 5 percent to 6 percent.

### **Business License Fees**

Recording fees, annual license and franchise fees, and return filing fees paid by some 3,000 domestic business corporations and 1,000 foreign corporations, the fees paid by voluntary corporations, and the registration fees paid by partnerships and individual proprietorships require critical reexamination. We must recognize that the level of license fees for business organizations should be established at a competitive rate with fees imposed by other New England States. However, a reexamination of these fees indicates that the last revision of the fee schedule adopted in 1949 may be modified so as to produce additional annual revenue of \$70,000 without deterring business organizations from doing business in New Hampshire. The ad valorem recommendation of the Tax Study Commission, applicable to both domestic and foreign corporations, merits exploration. It is my opinion, however, that an alternative plan with fewer administrative difficulties can produce the necessary revenue. I am recommending such legislation for your consideration.

Certain State departments are authorized to levy charges and fees without the necessity of an express statutory schedule. I have directed such departments to review the level of fees

charged consistent with accepted practice in private industry and to submit to me recommendations for increasing their fee schedules. I am certain that an analysis of such fees will be productive of additional revenues to the State.

### **Reimbursement of Public Utilities Commission for Regulatory Expenses**

The regulation of a large number of public utilities in this State necessitates an expense of over \$100,000 annually. I recommend legislation to reimburse the State for a portion of the regulatory expense of the Public Utilities Commission. This should yield between \$60,000 to \$75,000 annually once the plan is in operation. The proposed assessment upon public utilities is similar to the assessment upon insurance companies for regulatory expenses of the Insurance Commission and the assessment upon banks for the expense of their examinations by the Bank Commission.

### **Tax on Legacies and Successions (Inheritance Tax)**

With the exception of property passing to a husband or wife, a father or mother, or a lineal descendant, the State taxes legacies at a rate of 8½ percent. The tax yields over \$1,000,000 annually.

The Tax Study Commission recommends the exemption of New Hampshire charitable organizations from the 8½ percent legacy tax which would result in a substantial loss of revenue. I cannot recommend the elimination of this tax upon the recipients of a legacy who, even now, retain 91.5 percent of property they receive by inheritance.

I do recommend, however, legislation to cure a glaring inequity in our inheritance tax law; namely, the fact that insurance proceeds are not taxed while all other personal property is taxed. Taxation of insurance proceeds in the same manner as other personal property passing by inheritance will produce additional revenues to the State.

### **Tax on Insurance Companies**

The Tax Commission recommended the reduction in the premium tax on domestic insurance companies from 2 percent to 1 percent. The reduction of the premium tax on domestic companies would mean a loss to the State of \$60,000, which we cannot afford at this time.



### **Tax on Telephone, Telegraph, Railroad and Other Rail Transportation Companies**

There is no uniform method for determining the taxable value of rail, transportation, telephone and telegraph companies for purposes of levying the ad valorem tax on their property in this State. Legislation should be adopted to establish uniform standards of valuation so far as possible without sacrificing the \$1,000,000 of revenue presently derived from this source. I respectfully suggest that a solution to this problem is possible during this session, in cooperation with the State Tax Commission, without the necessity of appointing a special interim commission.

### **Franchise Tax on Gas and Electric Companies**

Gas and electric utilities pay a property tax to the State based at the average State rate on the value of their franchise. This franchise tax yields about \$250,000 annually. It is inequitable in its application because companies with identical earnings, but with different debt ratios, pay a different tax; and, more important, because the tax is not certain of definition, and, therefore, must be collected by negotiation. A new, equitable and certain formula should be devised as a substitute for the present franchise tax.

### **Taxes on Banks**

It is fair to say that in recent years, taxation of all types of banks in this State has produced little revenue. The method of taxation not only varies according to the type of banking institution, but is easy to avoid.

The present tax on savings banks and credit unions, savings departments of commercial banks is based on deposits. Building and loan associations and co-operative banks are taxed on the declared maturing value of their shares and the face value of their paid-up certificates. All savings institutions have the benefit of broad exemptions from their tax base.

I recommend that the present tax on savings and share deposits be reexamined and consideration be given to the replacement of this tax by more certain and uniform methods of taxation. One possibility is the replacement of the present tax by a 2% tax on net profits of savings banks, cooperative banks, savings departments of trust companies, building and

loan associations, federal savings and loan associations and credit unions. An alternative proposal is the replacement of the present tax by a tax without exemptions at the rate of six-tenths of a mill on deposits of these banks and deposits of savings departments of national banks. These proposals are deviations from that made by the Tax Study Commission which proposed a tax on dividends. A tax measured by income or by deposits without exemptions would provide a more certain measure of taxation and would tax banks in accordance with ability to pay. Either of my proposed taxes would increase revenues of the cities and towns throughout the state by \$170,000 and would also provide an increase of some \$40,000 in funds available for the State Department of Education.

### **The General Property Tax**

Because the amount raised by the general property tax since the end of World War II has increased more rapidly than the assessed value of property, the average tax rate has climbed from \$34.70 per \$1,000 immediately after the war to \$46.40 per \$1,000 in 1954. It should be pointed out, however, that ability to pay these property taxes has increased in approximately the same proportion.

As a result of higher local taxation, there has been an ever-increasing complaint against the allegedly heavier burden borne by the owners of homes, farms, industry, stock-in-trade and other kinds of taxable property. This has resulted in further requests that the State contribute more to the support of schools, and in proposals for the enactment of new forms of taxation for the relief of town, city and school district costs. Before the latter remedies are resorted to, I believe much should be done to broaden the distribution of local government expenses. I recommend several proposals to equalize the distribution of taxes in cities and towns by improved assessment practices.

Our tax statutes relating to taxation of various classes of personal property have not kept pace with the times. Technological and commercial progress have created classes of property and economic wealth, presently not taxed, which should be added to the tax base.

My first recommendation, therefore, is to revise our

statutes so as to broaden the classes of property subject to taxation.

Second, I recommend that a Division of Appraisal be established in the Tax Commission, manned by qualified personnel, to establish equitable standards of valuation for appraising property in local communities. It should be definitely understood that this recommendation contemplates no appropriation of state funds. The proposed service to the communities should be entirely supported by charges upon the towns and cities seeking assistance.

Third, I recommend that the law governing the valuation of property be amended so that the statutory standard will be 50 percent of full and true value, with a recognition of the impact of this proposal upon other laws.

For over 25 years, interim tax study commissions have made exhaustive and diligent inquiry into the tax structure upon which the economy of our government and its political subdivisions is predicated. This General Court, every two years, has by its own motion made intelligent contributions toward the perfection of the vast and complex problem of taxation. This quarter century of analysis culminated in the report of the most recent Commission to Recommend the Reorganization of the Tax Structure. In my opinion, we have accumulated sufficient factual and technical data to provide the necessary basis for future action. A significant contribution of the most recent commission was to assemble and summarize the pertinent recommendations which have been made over the years.

We must adopt tax legislation fashioned to meet the conditions of our time. It is my hope that in this special message I have assisted you in your approach to the problem.

In conclusion, I must repeat what I said in my budget message that, regardless of the appropriations you decide upon or what increases in taxes you adopt, the most important consideration of all must be to assure a balance between income and outgo for the next two years.

#### Leaves of Absence

Mr. Craig of Manchester was granted leave of absence for the day on account of important business.

Mr. Murch of Portsmouth was granted leave of absence for the day on account of death in the family.

### **Recess**

#### **Introduction of Guest**

The Speaker introduced Dr. Noel Wellman, Chairman of the State Board of Education and Mr. Milton M. Lory of Sioux City, Iowa, who addressed the House briefly.

#### **Introduction of Bills**

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Rainie of Concord, House Bill No. 196, An Act relative to foreign corporations operating motor vehicles in intrastate commerce. To the Committee on Executive Departments and Administration.

By Mr. Tenney of Chester, House Bill No. 197, An Act relative to exemptions under motor vehicle road toll law. To the Committee on Transportation.

By Mr. Young of Pittsfield, House Bill No. 198, An Act relative to distribution of certain assets of dissolved business corporations. To the Committee on Executive Departments and Administration.

By Mrs. DeLude of Unity, House Bill No. 199, An Act relative to competitive bidding for county purchases. To the Committee on Municipal and County Government.

By Mr. Comi of Concord, House Bill No. 200, An Act relative to the power of the board of medical examiners. to the Committee on Judiciary.

By Mr. Comi of Concord, House Bill No. 201, An Act relative to the fees of medical referees. To the Committee on Public Health.

By Mr. Burnham of Alstead, House Bill No. 202, An Act relative to forfeiture of devices used for illegal night hunting. To the Committee on Fish and Game.

By Mr. Adams of Lebanon, House Bill No. 203, An Act relative to domestic animals killed or wounded by hunters. To the Committee on Fish and Game.

By Mr. Anderson of Concord, House Bill No. 204, An Act providing for the development of Concord Lake Project. To the Committee on Resources, Recreation and Development.

By Mr. Vaughan of Newport, House Joint Resolution No. 17, Joint Resolution relating to teachers' retirement system study. To the Committee on Labor.

By Rules Committee, Mr. Pickett of Keene, House Joint Resolution No. 18, Joint Resolution relative to fire protection for the State House. To the Committee on Appropriations.

### **Report of Committee on Engrossed Bills**

Mrs. Palmer of Plaistow, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled house bills:

House Bill No. 27, An Act relative to fees for the recordation of merger and consolidation agreements between business corporations.

House Bill No. 28, An Act relative to printing session laws. The report was accepted.

### **Committee Reports**

Mr. Bell of Plymouth, for the Committee on Appropriations, to whom was referred House Bill No. 18, An Act increasing the appropriation for dormitory at Keene Teachers College, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by inserting after section 2 the following new section:

3. *Limitations.* Amend section 5 of chapter 226 of the Laws of 1953 by inserting after the word "hundred" in the seventh line the words, and fifty, and by inserting at the end of said section the words, provided further no such notes shall be outstanding after two years from the completion of the project, so that said section as amended shall read as follows:

5. *Short Term Notes.* Prior to the issuance of the bonds



hereunder, the treasurer, with the approval of the governor and council, may for the purposes hereof borrow money from time to time on short term loans which may be refunded by the issuance of the bonds hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short term loans exceed the sum of eight hundred and fifty thousand dollars, provided further no such notes shall be outstanding after two years from the completion of the project.

Further amend said bill by renumbering section 3 to read section 4.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred House Bill No. 69, An Act relating to the issue of duplicates of lost deposit books, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred House Bill No. 74, An Act relating to the Gale Home for Aged and Destitute Women, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

House Bill No. 6, An Act providing for exemption from payment of poll taxes for veterans of the Korean conflict.

On motion of Mr. Chase of Dover, House Bill No. 6 was recommitted to the Committee on Military and Veterans' Affairs.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 107, An Act relative to trusts for care of cemetery lots, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 101, An Act relative to exemption from fees for seeing eye dogs, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 45, An Act changing the classification of a road in the town of Merrimack, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### Resolutions

On motion of Mr. Davis of Hopkinton:

*Resolved*, That the Clerk procure 800 copies of the Governor's Budget Message in pamphlet form.

On motion of Mr. Rowell of Newport:

*Resolved*, That the sessions for the House of Representatives for the week during which the holiday, Washington's Birthday, occurs shall be held on Wednesday, Thursday and Friday, namely, February 23, 24 and 25, 1955.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 18, An Act increasing the appropriation for dormitory at Keene Teachers College.

House Bill No. 45, An Act changing the classification of a road in the town of Merrimack.

House Bill No. 69, An Act relating to the issue of duplicates of lost deposit books.

House Bill No. 74, An Act relating to the Gale Home for aged and destitute women.

House Bill No. 101, An Act relative to exemption from fees for seeing eye dogs.

House Bill No. 107, An Act relative to trusts for care of cemetery lots.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Mahoney of Concord at 12:32 o'clock the House adjourned.

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## TUESDAY, FEBRUARY 8, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, our Father, who hast created and destined us to live together, regardless of political, religious or other differences, help us to share with others those qualities we may possess, and others need. It may be that our faith takes an unbreakable hold on Thee, help us our God, to so live that faith that others may covet it; in this day when men's hearts fail them, and not infrequently the last thread of courage snaps, help us who have retained our courage to make that courage infectious; in this materialistic age, when we are tempted to live by sight instead of vision, if Thou, O Lord, hast given us the vision to look beyond the sordid things of today, may we inspire others to understand that life is not earthbound, but eternal. Also help us to ever remember,

"There is a destiny that make us brothers;

None goes this way alone:

All that we send into the lives of others

Comes back into our own." Amen.

### Salute to the Flag

Mrs. Studley of Rochester led the convention in the salute to the flag.

### Scouting Anniversary

The 45th anniversary of scouting was observed by the appearance of a delegation of Scouts and Cub Scouts from Merrimack County, who presented a statue to His Excellency, the Governor, in commemoration of the occasion.

### Leaves of Absence

Mesdames Bean of Webster and Hayward of Hanover, and Mr. Carlton of Marlborough were granted leaves of absence for the day on account of illness.

Mr. Gay of New London was granted leave of absence for the day on account of important business.

Mr. Gilbert of Wentworth was granted leave of absence for the week on account of illness.

Mr. Chamberlin of Bath was granted leave of absence for the week on account of illness in the family.

Mr. Karagianis of Laconia was granted leave of absence for the day on account of death in the family.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Corey of Manchester, House Bill No. 205, An Act relating to the authority of the surveyor of the city of Manchester. To the Committee composed of the members of the Manchester Delegation.

By Mrs. Dondero of Portsmouth, House Bill No. 206, An Act relating to the charter of the city of Portsmouth. To the Committee composed of the members of the Portsmouth Delegation.

By Mr. Angus of Claremont, House Bill No. 207, An Act relative to unemployment compensation for employees of the state and of political subdivisions and instrumentalities thereof. To the Committee on Labor.

By Mrs. Goodwin of Hollis, House Bill No. 208, An Act to permit welfare medical payments from working capital. To the Committee on Public Health.

By Mrs. Hayward of Hanover, House Bill No. 209, An Act relating to School Superintendents in the State Employees' Retirement System. To the Committee on Executive Departments and Administration.

By Mr. Smith of Manchester, House Bill No. 210, An Act relative to vacations for employees of the city of Manchester.

To the Committee composed of the members of the Manchester Delegation.

By Mr. Pappagianis of Nashua, House Bill No. 211, An Act relating to check lists and party enrollment. To the Committee on Executive Departments and Administration.

By Mr. Pappagianis of Nashua, House Bill No. 212, An Act relative to sidewalk vendors. To the Judiciary Committee.

By Mr. Bascom of Acworth, House Bill No. 213, An Act relating to school attendance. To the Committee on Education.

By Mr. Horton of Lyme, House Bill No. 214, An Act relative to requirement of financial responsibility after judgment of court. To the Judiciary Committee.

By Mr. Clement of Landaff, House Bill No. 215, An Act relative to the posting of land adjacent to woodlands. To the Committee on Fisheries and Game.

By Mr. Rathbone of Exeter, House Bill No. 216, An Act relative to jurisdiction of motor vehicle laws. To the Committee on Transportation.

By Mr. Angus of Claremont, House Bill No. 217, An Act relative to prior service credits for state officials and employees. To the Committee on Labor.

By Mr. Brown of Strafford, House Bill No. 218, An Act relative to the posting of land. To the Committee on Fisheries and Game.

By Mrs. DeLude of Unity, House Bill No. 219, An Act relative to elk. To the Committee on Fisheries and Game.

By Mrs. Dondero of Portsmouth, House Bill No. 220, An Act relating to compensation for the board of registrars in the city of Portsmouth. To the Committee composed of the members of the Portsmouth Delegation.

By Mr. Ballentine of Laconia, House Bill No. 221, An Act relating to real estate brokers and salesmen. To the Judiciary Committee.

By Mr. Pappagianis of Nashua, House Bill No. 222, An



Act relative to the manner of conducting elections. To the Committee on Executive Departments and Administration.

By Mr. Clement of Rochester, House Bill No. 223, An Act to simplify requirements for absentee voting. To the Judiciary Committee.

By Mr. Horton of Lyme, House Bill No. 224, An Act relating to motor vehicle financial responsibility. To the Committee on Insurance.

By Mr. Horton of Lyme, House Bill No. 225, An Act relating to repeal of motor vehicle liability bond provisions. To the Committee on Insurance.

By Mr. Kenney of Franklin, House Bill No. 226, An Act relative to bids and contracts for state printing and binding. To the Committee on Executive Departments and Administration.

By Mr. Kearns of Manchester, House Bill No. 227, An Act relative to issuance of special wholesaler's permit under the alcoholic beverage laws. To the Committee on Liquor Laws.

By Mrs. Dondero of Portsmouth, House Bill No. 228, An Act relating to the board of registrars in the city of Portsmouth. To the Special Committee consisting of the Delegation from the city of Portsmouth.

By Mr. Rainie of Concord, House Bill No. 229, An Act relative to the authority of the public utilities commission. To the Judiciary Committee.

By Mr. Bigelow of Warner, House Bill No. 230, An Act relative to the incontestability of a tax deed. To the Judiciary Committee.

By Mr. Lessels of Concord, House Bill No. 231, An Act relating to the qualifications of members of the public utilities commission. To the Judiciary Committee.

By Mr. Angus of Claremont, House Bill No. 232, An Act relative to compensation of appeal tribunal and advisory council members under the unemployment compensation law. To the Committee on Labor.

By Mr. Donnelly of Manchester, House Bill No. 233, An Act relating to the liability for payment of poll taxes. To the Committee on Municipal and County Government.

By Mr. Pappagianis of Nashua, House Bill No. 234, An Act to increase the salary of the justice of the Nashua municipal court. To the Committee composed of the members of the Nashua Delegation.

By Mr. McKee of Concord, House Bill No. 235, An Act relating to licenses for games of beano. To the Judiciary Committee.

By Mr. Craig of Manchester, House Bill No. 236, An Act relative to parents' liability to children. To the Judiciary Committee.

By Mr. Angus of Claremont, House Bill No. 237, An Act relative to the unemployment compensation law. To the Committee on Labor.

By Mr. Lessels of Concord, House Joint Resolution No. 19, Joint Resolution relative to a study of the problems connected with aged persons. To the Committee on Public Welfare and State Institutions.

By Mr. Shea of Concord, House Joint Resolution No. 20, Joint Resolution relating to retirement study. To the Committee on Labor.

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bills:

House Bill No. 29, An Act relative to number of write-in votes at primary elections.

House Bill No. 24, An Act providing that persons receiving certain federal benefits not disqualified from state unemployment benefits.

House Bill No. 99, An Act legalizing the Annual Town Meeting and certain Special Town Meetings in the Town of Hudson.

The report was accepted.

### Committee Reports

Mr. Rowell of Newport, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 8, Joint Resolution providing funds for certain classified positions in planning and development department, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Rowell of Newport, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 9, Joint Resolution in favor of the county of Coos, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Faulkner of Keene, for the Judiciary Committee, to whom was referred House Bill No. 92, An Act relative to the mortgage of corporate assets by authority of the board of directors, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Holmes of Amherst, for the Judiciary Committee, to whom was referred House Bill No. 105, An Act relative to bonded indebtedness of the town of Hancock for water-works, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bennett of Keene, for the Judiciary Committee, to whom was referred House Bill No. 98, An Act providing for a constitutional convention, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the figures and words "1955, and at a special election in the several cities" in the second and third lines and inserting in place thereof the words, 1956, and at the election in the several cities of delegates to national conventions, so that said section as amended

shall read as follows: 1. *Delegates; Election.* At the election in the several towns to be holden on the second Tuesday of March, 1956, and at the election in the several cities of delegates to national conventions, to be holden on the same day, delegates to a convention to revise the constitution shall be chosen and an article therefor shall be inserted in the warrants calling said meeting; and all the laws relating to the election of representatives to the general court, so far as the same may be applicable, shall apply to the election of delegates except as herein otherwise provided.

Amend section 5 of said bill by striking out the words and figures "last Tuesday of October, 1955," in the second line and inserting in place thereof the words and figures, third Tuesday of May, 1956; so that said section as amended shall read as follows: 5. *Organization.* The delegates chosen shall assemble in convention at the capitol in Concord on the third Tuesday of May, 1956, at noon, and shall proceed to organize by choosing one of their number by ballot to serve as president, and such other officers as they deem necessary; they shall be the judges of election and returns of their own members, and may establish rules of proceedings and proceed to recommend constitutional amendments.

The report was accepted.

The question being on the amendment.

(Discussion)

Mr. Faulkner of Keene and Miss Collyer of Lisbon spoke in favor of the amendment.

Messrs. Rathbone of Exeter and Geisel of Manchester spoke against the amendment.

Mr. Black of Bennington moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion)

Mr. Black of Bennington spoke in favor of the motion.

Messrs. Pickett of Keene and Pillsbury of Manchester and Mrs. Frizzell of Charlestown spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being on the amendment.

Mr. Pickett of Keene moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by the committee.

On a *viva voce* vote the amendment was adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 31, An Act relative to change in classification of highway in Alstead and Gilsum, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out the words "and Gilsum" so that the title as amended shall read as follows: An Act relative to change in classification of highway in Alstead.

Amend section 1 of the bill by striking out the word "Gilsum" in the fifth line and inserting in place thereof the word, Alstead, so that said section as amended shall read as follows:

1. *Highway Classification.* The class II highway starting from Forest Road, so called in the town of Alstead at East Alstead Common, thence running southerly east of Lake Warren past the South Woods Road corner and the Big Mine, so-called, to Gilsum town line in the town of Alstead, shall hereafter be classified as a class V highway.

Further amend the bill by inserting after section 1 the following new section:

2. *Transfer of Funds.* Such sum as may have been apportioned by the state for the construction of the above named road as a secondary highway shall be transferred to the town road aid account and made available for expenditure in addition to such sums as are allotted for town road aid so-called and expended under the supervision of the commissioner of public works and highways.

Further amend the bill by re-numbering section 2 to read section 3.



The report was accepted, the amendment adopted, and the bill ordered to a third reading.

### Vote Recorded

Mr. Spaulding of Hudson desired to be placed on record as opposing the passage of House Bill No. 31 because of the precedent set in diverting funds from the Class II highway account.

Mrs. Hundley of Portsmouth, for the Committee on Ways and Means, to whom was referred House Bill No. 41, An Act increasing the fee for retailers' license under tobacco tax law, having considered the same, reported the same with the resolution that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 24, An Act providing that persons receiving certain federal benefits not disqualified from state unemployment benefits.

House Bill No. 99, An Act legalizing the annual town meeting and certain special town meetings in the town of Hudson.

House Bill No. 29, An Act relative to number of write-in votes at primary elections.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

House Bill No. 15, An Act relative to recordation of liens on real estate for payment of income tax.

Amend section 1 of the bill by inserting after the word "deeds" in the seventh line the words, in the grantor index, so that said section as amended shall read as follows: 1. *Income Tax*. Amend chapter 78 of the Revised Laws (chapter 77, RSA) by inserting after section 24 the following new section: 24-a.

*Lien for Taxes.* No lien upon real estate for taxes imposed by this chapter shall be valid and binding against any other person than the person who is taxable and his heirs, until notice of such lien stating the name and address of the taxpayer and the amount of tax due shall have been filed and recorded in the registry of deeds in the grantor index for the county in which such real estate is located.

On motion of Mrs. Hundley of Portsmouth the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

### Resolutions

Mrs. Dondero of Portsmouth offered the following resolution:

*Whereas*, Charles Shepard, brother-in-law of Henry S. Murch, Representative from Portsmouth, recently passed away,

*Therefore be it Resolved*, That we, the Members of the Portsmouth Delegation of the New Hampshire Legislature, extend our sympathy to our fellow member in his bereavement,

*And be it Further Resolved*, That the Clerk of the House transmit to Representative Murch a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Stearns of Durham offered the following resolution:

*Resolved*, That a committee be appointed, consisting of five members of the House, to be named by the Speaker, to study the problems of the University of New Hampshire in the following areas, as recommended by the Governor in his budget message.

- 1, the adequacy of compensation for instructional personnel,

- 2, the percentage of out-of-state students to total enrollment,

- 3, the adequacy of tuition rates, particularly for out-of-state students,

- 4, and the extent to which the state can assume additional bonded indebtedness for new construction;

As well as any other matters pertaining thereto.

And to report back with its findings to the present session of the General Court.

Compensation for members of the study committee shall be confined to mileage for travel involved.

The resolution was referred to the Committee on Appropriations.

### Qualified

Mr. Charles A. Gilbert of Wentworth having appeared before His Excellency, the Governor, on Thursday, February 3, and Mr. Theodore F. Munz of Portsmouth, having appeared before His Excellency, the Governor, on Tuesday, February 8, took their seats as members of the House.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in and joint resolutions by caption only, and that when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 31, An Act relative to change in classification of highway in Alstead.

House Bill No. 92, An Act relative to the mortgage of corporate assets by authority of the board of directors.

House Bill No. 105, An Act relative to bonded indebtedness of the town of Hancock for water-works.

House Joint Resolution No. 8, Joint Resolution providing funds for certain classified positions in planning and development department.

House Joint Resolution No. 9, Joint Resolution in favor of the county of Coos.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Holmes of Amherst at 12:42 o'clock the House adjourned.

WEDNESDAY, FEBRUARY 9, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, the Rev. Francis Ford, assistant pastor, All Saints Catholic Church, Lancaster:

In the Name of the Father, and of the Son and of the Holy Ghost. Amen.

Oh God! Whose only begotten Son, by His life, death and resurrection has purchased for us the rewards of Eternal Life, grant we beseech Thee give to those present the gifts of wisdom and knowledge: knowledge not only to uphold the laws of the State and the Nation but also in their careful considerations, the moral law: Wisdom to choose the correct cause when they are pulled either to the right or left by certain factions and let them remember that they are the representatives of all the people of their districts and act accordingly through Christ, Our Lord. Amen.

### Salute to the Flag

Mr. Flanagan of Dover led the Convention in the salute to the Flag.

### University of New Hampshire Glee Club

The Convention listened with pleasure to a concert presented by the University of New Hampshire Glee Club led by their director, Professor Karl H. Bratton.

### Leaves of Absence

Mr. Karagianis of Laconia was granted leave of absence for the day on account of death in the family.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Sleeper of Haverhill, House Bill No. 238, An Act providing for statements in connection with nolle prosequi of prosecution. To the Judiciary Committee.

By Mr. Broadhurst of Franklin, House Bill No. 239, An Act relative to the police of the city of Franklin. To the Special

Committee consisting of the members of the Franklin Delegation.

By Mr. Sleeper of Haverhill, House Bill No. 240, An Act relative to reckless and careless operation of motor vehicles. To the Judiciary Committee.

By Mr. Sleeper of Haverhill, House Bill No. 241, An Act relative to keeping motor vehicles free from obstructions of ice and snow. To the Committee on Transportation.

By Mr. Sleeper of Haverhill, House Bill No. 242, An Act relative to outside rear vision mirrors on motor vehicles. To the Committee on Transportation.

By Mr. Lavoie of Manchester, House Bill No. 243, An Act relative to requirement for use of so-called mud flaps on certain motor vehicles. To the Committee on Transportation.

By Mr. Sleeper of Haverhill, House Bill No. 244, An Act relative to minimum speed regulation of motor vehicles. To the Committee on Transportation.

By Mr. Plumer of Bristol, House Bill No. 245, An Act dividing Grafton County into commissioner districts. To the Committee composed of the Grafton County Delegation.

By Mr. Willey of Campton, House Bill No. 246, An Act dividing Grafton County into commissioner districts. To the Special Committee consisting of the Delegation from the county of Grafton.

By Mr. Pryor of Ashland, House Bill No. 247, An Act relative to the salary of the sheriff of Grafton County. To the Special Committee consisting of the Delegation from the county of Grafton.

By Mr. Rainie of Concord, House Bill No. 248, An Act relative to perpetual inventory records and the transfer of unused supplies and equipment. To the Judiciary Committee.

By Mr. Hart of Laconia, House Bill No. 249, An Act relative to the New Hampshire shore and beach preservation commission. To the Committee on Executive Departments and Administration.

By Mr. Hart of Laconia, House Bill No. 250, An Act rela-



tive to the forestry and recreation insurance coverage. To the Committee on Executive Departments and Administration.

By Mr. Pillsbury of Sandown, House Bill No. 251, An Act relative to protection of illegitimate children. To the Committee on Public Health.

By Mr. Pillsbury of Sandown, House Bill No. 252, An Act relative to prerequisites for burial permits. To the Committee on Public Health.

By Mr. Pillsbury of Sandown, House Bill No. 253, An Act requiring causes of death to be printed or typed on certificates of death. To the Committee on Public Health.

By Mr. Pillsbury of Sandown, House Bill No. 254, An Act relative to a report of birth. To the Committee on Public Health.

By Mr. Lessels of Concord, House Bill No. 255, An Act providing for state participation in water pollution control costs through financial aid to municipalities. To the Committee on Resources, Recreation and Development.

By Mr. Hadley of Hillsborough, House Bill No. 256, An Act relative to class III recreational roads. To the Committee on Public Works.

By Mr. Hart of Laconia, House Bill No. 257, An Act relative to the change of designation of the deputy director of recreation and to the salary of said office. To the Committee on Appropriations.

By Mrs. Frizzell of Charlestown, House Bill No. 258, An Act relative to expiration date of trapping licenses. To the Committee on Fish and Game.

By Mr. Carr of Orford, House Bill No. 259, An Act relating to unfair competition in the sale of motor fuels. To the Committee on Transportation.

By Mr. Vogel of Canterbury, House Bill No. 260, An Act relative to sales and use tax for raising public money. To the Committee on Ways and Means.

By Mrs. Hundley of Portsmouth, House Bill No. 261, An Act relative to prohibited interests by wholesalers of beverages. To the Committee on Liquor Laws.

By Mrs. Goodwin of Hollis, House Joint Resolution No. 21, Joint Resolution relative to the estate of Eugene Hill. To the Committee on Appropriations.

### Orders Vacated

On motion of Mr. Angus of Claremont the order whereby House Bill No. 178, An Act to provide that all state employees and employees of political subdivisions shall be subject to the provisions of unemployment compensation, was referred to the Judiciary Committee was vacated and the bill referred to the Committee on Labor.

On motion of Mr. Pappagianis of Nashua the order whereby House Bill No. 212, An Act relative to sidewalk vendors, was referred to the Judiciary Committee was vacated, and the bill referred to the Committee on Municipal and County Government.

### Committee Reports

Mr. Bloomfield of Claremont, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 6, An Act providing for exemption from payment of poll taxes for veterans of the Korean conflict, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of the bill by striking out in the eighth line the words "and the termination of hostilities" and inserting in place thereof the word and figures, July 27, 1953, so that said section as amended shall read as follows: 1. *Poll Tax*. Amend chapter 73 of the Revised Laws (chapter 72, RSA) by inserting after section 1 the following new section: 1-a. *Korean Conflict Veterans*. Every resident of this state who served in the armed forces of the United States at any time during the Korean conflict (except those dishonorably discharged from such service) shall be exempt from the levy of a poll tax. The words "Korean conflict" as used in this section shall mean service between June 25, 1950 and July 27, 1953.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Chase of Dover spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 152, An Act providing for advance sheets of session laws, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 33, An Act providing for supplemental appropriations for certain state departments.

The message further announced that the Senate had passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

Senate Joint Resolution No. 1, Joint Resolution in favor of Merle Pitman.

### Senate Joint Resolution Read and Referred

Senate Joint Resolution No. 1, Joint Resolution in favor of Merle Pitman.

Read a first and second time and referred to the Committee on Appropriations.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third reading of bills be by title only, and that when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Bill No. 6, An Act providing for exemption from payment of poll taxes for veterans of the Korean conflict.

House Bill No. 152, An Act providing for advance sheets of session laws.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Hundley of Portsmouth at 12:05 o'clock the House adjourned.

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#### THURSDAY, FEBRUARY 10, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O Lord of heaven and earth, who led our fathers forth, making them go from one kingdom to another people, we yield Thee hearty thanks for all that Thou didst for them and art doing for this land to which they came. These pioneers of those early days were men of vision, courage and faith; they were far-seeing statesmen, incorruptible patriots of their day, and prophets of that better day we experience at this present time. O Lord, may this retrospective look enkindle within us, their posterity, a deeper sense of our obligations as citizens of this "land of the free," the courage to ever stand firmly for what we believe to be right, and that belief based on something more than a whim, or pure selfishness. Through Jesus Christ our Lord. Amen.

#### Salute to the Flag

Mr. Young of Pittsfield led the Convention in the salute to the Flag.

#### Leaves of Absence

Mr. Simonds of Lancaster was granted leave of absence for the day on account of illness.

#### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Clarke of Canaan, House Bill No. 262, An Act to assist needy school districts and improve education. To the Committee on Education.

By Mrs. Holmes of Amherst, House Bill No. 263, An Act relative to rights of way established by prescription or adverse possession. To the Committee on Judiciary.

By Mr. Brown of Loudon, House Bill No. 264, An Act relating to escape from state prison. To the Committee on Judiciary.

By Mr. Perley of Lebanon, House Bill No. 265, An Act relative to municipal budget committee and its powers and duties. To the Committee on Municipal and County Government.

By Mr. Bascom of Acworth, House Bill No. 266, An Act relating to transportation of school children. To the Committee on Education.

By Mr. Horton of Lyme, House Bill No. 267, An Act to establish a motor vehicle law appeals commission. To the Committee on Transportation.

By Mr. Clarke of Canaan, House Bill No. 268, An Act relative to service exemptions for veterans. To the Committee on Military and Veterans' Affairs.

By Miss Spollett of Hampstead, House Bill No. 269, An Act relative to the federal soil conservation and domestic allotment act. To the Committee on Agriculture.

By Mr. Hurley of Manchester and Mrs. Gardner of Gilford, House Bill No. 270, An Act relative to the taking of lake trout. To the Committee on Fish and Game.

By Mr. Bradley of Hanover, House Bill No. 271, An Act to equalize educational opportunities and to improve the public elementary and high schools of New Hampshire. To the Committee on Education.

By Mrs. Dondero of Portsmouth, House Bill No. 272, An Act relative to sale of pheasants for resale. To the Committee on Fish and Game.

By Mr. Dion of Manchester, House Bill No. 273, An Act relative to school studies. To the Committee on Education.

By Mr. Hambleton of Goffstown, House Bill No. 274, An Act relating to the sale of unlicensed dogs by humane societies. To the Committee on Executive Departments and Administration.



By Mr. Gamsby of Sunapee, House Bill No. 275, An Act relative to taking deer. To the Committee on Fish and Game.

By Mr. Workman of Wilmot, House Joint Resolution No. 22, Joint Resolution in favor of the town of Wilmot. To the Committee on Public Works.

By Mr. Skinner of Alton, House Joint Resolution No. 23, Joint Resolution in favor of Augustus Glidden. To the Committee on Banks.

### **Report of Committee on Engrossed Bills**

Mrs. Palmer of Plaistow, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bill:

House Bill No. 33, An Act providing for supplemental appropriations for certain state departments.

The report was accepted.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 15, An Act relative to recordation of liens on real estate for payment of income tax, having considered the same, reported the same under Joint Rule No. 6, with the following amendment and recommended that the bill as amended ought to pass:

Amend the title of said bill by striking out the words "income tax" and inserting in place thereof the words, tax on income, so that said title shall read as follows:

An Act relative to recordation of liens on real estate for payment of tax on income.

The report was accepted.

On motion of Mrs. Hundley of Portsmouth the amendment offered by the Committee on Engrossed Bills was adopted, and the bill sent to the Senate for concurrence in the amendment.

### **Committee Reports**

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 85, An Act relative to hunting and fishing licenses, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Joint Resolution No. 16, Joint Resolution relative to special fishing licenses for certain students from foreign countries, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred The Kearns Resolution, A Resolution asking for investigation of the fish and game building under construction on Bridge Street, having considered the same, reported the same as follows:

That from the evidence presented, the principal difference in the architect's estimated cost of \$51,426 and the actual cost of \$87,000 was due to unexpected conditions which do occur in remodeling projects such as this. Briefly, the extra cost arose out of such unforeseen circumstances as these: 1. High labor costs. 2. Added architect's fees. 3. Structural conditions not apparent until after work had started and which had to be corrected before proposed work could be finished. 4. Public Works Department procedures in such matters.

The participation of the Public Works Department under present laws added unanticipated costs to the project; therefore, the Committee recommends a review by the present legislature of existing laws pertaining to construction, remodeling, etc., which come under the jurisdiction of the Public Works Department.

The Committee feels that the purpose of the Kearns Resolution has been realized and that further investigation would be only a repetition of what has already been revealed by public hearing and that nothing constructive would be accomplished by pursuing the matter further except as otherwise recommended above.

The report was accepted.

The question being on the recommendation of the committee.

(Discussion ensued)

Mr. Converse of Pittsburg spoke in favor of the report.

On a *viva voce* vote the recommendation of the committee was adopted.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 119, An Act granting discretionary authority to probate courts in connection with bonds of trustees, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Beamis of Somersworth, for the Committee on Judiciary, to whom was referred House Bill No. 147, An Act relating to the sale of investments by guardians and trustees of estates, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Faulkner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 153, An Act relating to attachments, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 46, An Act changing classification of the so-called King's Highway, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by inserting after section 1 the following new section:

2. *Transfer of Funds.* Such sums as may have been apportioned by the state for the construction of the above-named road as a secondary highway shall be transferred to the town road aid account in the towns of New Durham and Middleton and made available for expenditure in addition to such sums as are allotted for town road aid, so-called, in said towns. and expended under the supervision of the commissioner of public works and highways.

Further amend the bill by renumbering section 2 to read section 3.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mrs. Funkhouser of Durham, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 70, An Act relative to the payment of forest fire expenses, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mrs. Funkhouser of Durham, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 71, An Act relative to reimbursement of municipalities for forest fire expenses, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mrs. Funkhouser of Durham, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 138, An Act relative to forest fire protection and appointment of wardens, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 2 by inserting after the word "expenditures" in the seventh line the words, by the state; inserting after the word "in" in the eighth line the words, any one town or municipality in, and by inserting after the word "the" in the ninth line the words, town or, so that said section as amended shall read as follows: 2. *Forest Fire Trails*. Amend chapter 233 of the Revised Laws (chapter 224, RSA) by inserting after section 19 thereof the following new section: 19-a. *Fire Trails*. Forest fire wardens and deputy wardens or any agent designated by them may, with the approval of the state forester, brush out and make passable old roads and trails useful for the passage of men and equipment in case of forest fires. Expenditures by the state for this purpose shall not exceed fifty dollars in any one town or municipality in any one year, and the costs shall be shared by the state and the town or

municipality in the same proportion as other prevention expenses.

Amend section 3 by striking out said section and inserting in place thereof the following: 3. *Declaring Forests Closed.* Amend section 37-a of chapter 233 of the Revised Laws as inserted by section 1 of chapter 70 of the Laws of 1949, (section 32, chapter 224, RSA) by striking out the words "and council" in the first line and the words "in his opinion" in the second line and by inserting after the word "may" in the fifth line the words, with verbal approval of the council, so that said section as amended shall read as follows: 37-a. *Declaring.* The governor, upon the recommendation of the state forester, when there is danger of starting fires in the woodlands of the state due to a period of protracted drought or excessive dryness which requires extraordinary precautions, may, with verbal approval of the council, by official proclamation, prohibit smoking in or near woodland and prohibit the kindling of any open fire in or near woodland in any or all parts of the state for such time as they may designate. Whoever is found guilty of violating the provisions of this section shall be fined not more than twenty-five dollars.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 21, An Act relating to the par value of the shares of stock of insurance companies.

House Bill No. 49, An Act relative to benefit rates, earnings in waiting period and merit rates under the unemployment compensation law.

The message further announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 9, An Act relative to discharge or removal of employees of public libraries.

Senate Bill No. 13, An Act relating to re-assessment procedures.



Senate Bill No. 15, An Act relating to abatement procedures.

Senate Bill No. 18, An Act relative to the Charter of St. Paul's Lodge, No. 30, F. & A. M. at Alstead.

### Senate Bills Read and Referred

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

Senate Bill No. 9, An Act relative to discharge or removal of employees of public libraries. To the Committee on Municipal and County Government.

Senate Bill No. 13, An Act relating to re-assessment procedures. To the Committee on Judiciary.

Senate Bill No. 15, An Act relating to abatement procedures. To the Committee on Judiciary.

Senate Bill No. 18, An Act relative to the Charter of St. Paul's Lodge, No. 30, F. & A. M. at Alstead. To the Committee on Banks.

### Resolutions

Messrs. Faulkner and Pickett of Keene offered the following resolution:

*Whereas*, John J. Colony of Keene has passed away, and

*Whereas*, He was a former Representative from Keene,

*Therefore be it Resolved*, That we, the Members of the House of Representatives of the New Hampshire Legislature, pay tribute to our former member for his services to his state and express our deep sympathy to his family in its bereavement,

*And be it Further Resolved*, That the Clerk of the House transmit to Mr. Colony's son, John J. Colony, Jr., a copy of these Resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Ford of Wolfeboro offered the following resolution:

*Whereas*, John T. McHugh of Wolfeboro, a former Member of the House, has passed away after a long illness, and

*Whereas*, He held many elected offices in the town of Wolfeboro, devoting long years of faithful service to his fellow citizens,

*Therefore be it Resolved*, That we, the Members of the House of Representatives of the New Hampshire Legislature, pay tribute to our former member for his many services to his town and state and express our sympathy to his family in its bereavement,

*And be it Further Resolved*, That the Clerk of the House transmit a copy of these Resolutions to Mr. McHugh's sister, Mrs. Frank McBride of Wolfeboro.

On a *viva voce* vote the resolution was adopted.

### Crusade for Freedom

Mr. Chase of Dover rose to appeal to the members to participate in the Crusade for Freedom program.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title and joint resolution by caption only, and that when the House adjourns today it be to meet Tuesday morning at 11 o'clock.

### Third Readings

House Bill No. 46, An Act changing classification of the so-called King's Highway.

House Bill No. 85, An Act relative to hunting and fishing licenses.

House Bill No. 119, An Act granting discretionary authority to probate courts in connection with bonds of trustees.

House Bill No. 138, An Act relative to forest fire protection and appointment of wardens.

House Bill No. 153, An Act relating to attachments.

House Joint Resolution No. 16, Joint Resolution relative to special fishing licenses for certain students from foreign countries.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Wentworth of Madbury at 12:10 o'clock the House adjourned.

TUESDAY, FEBRUARY 15, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Dr. Lorrey Johnson of Chicago, Illinois, founder of "Youth for Christ, International."

Almighty God, Father, Son and Holy Spirit — We come into Thy presence this morning invoking Thy blessing upon all who are here present. We ask in the name of Jesus Christ our Savior and our Lord that Thou will give to the Governor of this State and to all who rule wisdom in this hour of world wide crisis. We pray that Thou will enlighten each mind and speak to each heart, that these men may know the will of God and do it. We know that godliness and righteousness are the basis for real prosperity and lasting peace, and to that end we pray that these men may not only determine the policy of this government, but also be a spiritual example to all their constituents. To that end we pray that the Christ who shed His Blood for our sins and rose again from the dead may be a living reality in each life.

These things we pray in the name of our Holy Saviour, Jesus Christ our Lord. Amen.

### Salute to the Flag

Mrs. Lareau of Manchester led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Chase of Dover and Nickerson of East Kingston were granted leaves of absence for the week on account of important business.

Mr. Simonds of Lancaster was granted leave of absence for an indefinite time on account of illness.

Mr. Howe of Claremont was granted leave of absence for the day on account of illness.

Mr. Waterhouse of Windham was granted leave of absence for the week on account of illness in the family.

Mr. Carignan of Rochester was granted leave of absence for the week on account of important business.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Lessels of Concord, House Bill No. 276, An Act to regulate the practice of professional engineering. To the Committee on Executive Departments and Administration.

By Mr. Pillsbury of Sandown, House Bill No. 277, An Act relative to the storing of explosives. To the Committee on Judiciary.

By Mr. Converse of Pittsburg, House Bill No. 278, An Act relative to a small game license for Coos county. To the Committee on Fish and Game.

By Mr. Converse of Pittsburg, House Bill No. 279, An Act relative to the fee for sealing and stamping beaver skins. To the Committee on Fish and Game.

By Mr. Bouchard of Berlin, House Bill No. 280, An Act providing for a bounty on fox. To the Committee on Fish and Game.

By Mr. Brown of Loudon, House Bill No. 281, An Act relative to field trials for dogs. To the Committee on Fish and Game.

By Mr. Plumer of Bristol, House Bill No. 282, An Act relative to the repeal of the school per capita tax. To the Committee on Education.

By Mr. Holden of Hanover, House Bill No. 283, An Act relative to the charter of the Dartmouth Savings Bank at Hanover. To the Committee on Banks.

By Mr. Horton of Lyme, House Bill No. 284, An Act relative to the definition of group life insurance. To the Committee on Insurance.

By Mr. Angus of Claremont, House Bill No. 285, An Act relative to the construction of a new library building and the remodelling of the present library building for instructional purposes at the University of New Hampshire, and to be liquidated from income. To the Committee on Education.

By Mr. Brown of Strafford, House Bill No. 286, An Act establishing plant and seed certification. To the Committee on Agriculture.

By Mr. Rowell of Newport, House Bill No. 287, An Act relative to payment of expenses of town common trust funds. To the Committee on Municipal and County Government.

By Mrs. Brungot of Berlin, House Bill No. 288, An Act relative to the open season for taking fur-bearing animals. To the Committee on Fish and Game.

By Mr. Bradley of Hanover, House Bill No. 289, An Act providing a time when residents only may take wild deer. To the Committee on Fish and Game.

By Mrs. Payette of Portsmouth, House Bill No. 290, An Act banning all motorboating on all reclaimed trout ponds. To the Committee on Public Works.

By Mr. Ashley of Lebanon, House Bill No. 291, An Act relative to use of outboard motors for fishing on reclaimed ponds. To the Committee on Public Works.

By Mr. Ashley of Lebanon, House Bill No. 292, An Act relative to trolling with large spinners in reclaimed ponds. To the Committee on Fish and Game.

By Mr. Ashley of Lebanon, House Bill No. 293, An Act providing penalties for throwing refuse on public waters and lands bordering the same. To the Committee on Resources, Recreation and Development.

By Mr. Pillsbury of Manchester, House Bill No. 294, An Act relating to defamation by radio or television. To the Committee on Judiciary.

By Mr. Sleeper of Haverhill, House Bill No. 295, An Act relative to re-examination of holders of licenses to operate motor vehicles. To the Committee on Executive Departments and Administration.

By Mr. Ballentine of Laconia, House Bill No. 296, An Act establishing a board of fire commissioners for the city of Laconia. To the Special Committee consisting of the Delegation from the city of Laconia.



By Mrs. Atwood of Sanbornton, House Bill No. 297, An Act making certain records relative to race meets available to the public. To the Committee on Executive Departments and Administration.

By Mr. Chase of Dover, House Bill No. 298, An Act relative to the salaries of the Strafford county commissioners. To the Special Committee consisting of the Delegation from the county of Strafford.

By Mr. Bell of Plymouth, House Bill No. 299, An Act relative to the definition of the term "employment" under the federal old-age and survivors insurance act. To the Committee on Judiciary.

By Mr. Bell of Plymouth, House Bill No. 300, An Act relative to membership of county employees in the employees retirement system. To the Committee on Judiciary.

By Mr. Vaughn of Bow, House Bill No. 301, An Act to provide for notice when a highway running between two towns is discontinued. To the Committee on Executive Departments and Administration.

By Mr. Jones of Lebanon, House Bill No. 302, An Act relative to fees for stamping beaver skins. To the Committee on Fish and Game.

By Mr. Brown of Loudon, House Bill No. 303, An Act providing for an income tax. To the Committee on Ways and Means.

By Mr. Weeks of Wolfeboro, House Bill No. 304, An Act naming the Governor Wentworth Highway. To the Committee on Public Works.

By Mrs. Davis of Concord, House Bill No. 305, An Act relative to registration of voters in Ward 2 of the City of Concord. To the Special Committee consisting of the Delegation from the city of Concord.

By Mr. Chase of Dover, House Bill No. 306, An Act relative to the salary of the Strafford County solicitor. To the Special Committee consisting of the Delegation from the county of Strafford.

By Mr. Danforth of Manchester, House Bill No. 307, An Act to increase the salary of the Hillsborough County commissioners. To the Special Committee consisting of the Delegation from the county of Hillsborough.

By Mrs. Funkhouser of Durham, House Bill No. 308, An act relative to membership of the water pollution commission. To the Committee on Resources, Recreation and Development.

By Mr. Stevens of Chichester, House Bill No. 309, An Act relative to the licensing of dogs. To the Committee on Executive Departments and Administration.

By Mr. Pickett of Keene, House Bill No. 310, An Act relative to computation of benefits under the firemen's retirement system. To the Committee on Executive Departments and Administration.

By Mr. Smith of Meredith, House Joint Resolution No. 24, Joint Resolution in favor of Ada T. Lansdowne. To the Committee on Appropriations.

By Mr. Rathbone of Exeter, House Joint Resolution No. 25, Joint Resolution relative to a study of the problem of combining towns and school districts. To the Committee on Judiciary.

### Committee Reports

Mr. Rathbone of Exeter, for the Committee on Judiciary, to whom was referred House Bill No. 84, An Act relative to employment of members of the general court at race meets, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Barka of Derry moved that the words "ought to pass" be substituted for the resolution of the committee that it is "inexpedient to legislate."

The question being on the motion to substitute.

(Discussion ensued)

Mr. Barka of Derry spoke in favor of the motion.

Messrs. Jones and Perley of Lebanon spoke against the motion.

On a *viva voce* vote the motion to substitute the words "ought to pass" did not prevail.

Mr. Barka of Derry demanded the yeas and nays and the roll was called with the following result:

### Yeas—39

ROCKINGHAM COUNTY: Barka, Hunter, Battle, Travis, Scamman.

STRAFFORD COUNTY: Moher, Green.

BELKNAP COUNTY: Tilton, Atwood.

CARROLL COUNTY: Roberts, Remick, Hodgdon.

MERRIMACK COUNTY: Stevens, Broadhurst.

HILLSBOROUGH COUNTY: Holmes, Jennings, Falconer, Cummings, Pappagianis, Aho, Willard, Bardol.

CHESHIRE COUNTY: Burnham, Pike, Perry, Kirk, Wheeler, Bennett, Billings.

SULLIVAN COUNTY: Bascom, Frizzell, Millar, Nelson of Goshen.

GRAFTON COUNTY: Pryor, Sanborn, Townsend, Frazer.

COOS COUNTY: Ferguson, Cornelius.

### Nays—331

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Persson, Tenney, Shattuck, Fogg, Bisbee, Clarke of Derry, Gay of Derry, Blair, Eastman of Exeter, Eldredge, Merrill, Rathbone, Jones of Fremont, Weeks of Greenland, Spollett, Thurlow, Parmenter, McCaffery, Labranche, Sewall, Cheney, Pinkham, Palmer, Barrett, Dondero, Hundley, Payette, Murch, Quirk, Leary, Joyce, Wardwell, Munz, Ingraham, Philbrick, Haigh, (Anna) Willis, (Howard) Willis, Pillsbury of Sandown, Felch, Robinson of South Hampton.

STRAFFORD COUNTY: Swain, Hennessey, Karkavelas, Desjardins, Webb, Connell, Crandall, Flanagan, Funkhouser, Littlehale, Stearns, Mros, Chadbourn, Wentworth, Evans, Rolfe, Dustin, Nadeau, Lacasse, St. Pierre, Studley, Clement of Rochester, Estes, Maloomian, LeTourneau, Cormier, Beamis, Malley, Brown of Strafford.

BELKNAP COUNTY: Skinner, McAllister, Boutin, Gardner of Gilford, Robertson, Hart, Rogers, Morin, Simoneau, Ballentine, Karagianis, Burbank, O'Shan, Dana, Varrell, Miner, Smith of Meredith, Urie, Metcalf.

CARROLL COUNTY: Chandler, Downs, Stokes, Nickerson of Madison, Lamprey, Hayden, Hodge, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Baron, Phelps, Ellsworth, Vaughn of Bow, Vogel, Dowd, Ferrin, Davis of Concord, Henry, Colbath, Hancock, Shea of Concord, Lessels, Nelson of Concord, Corbett, Jewett, Rainie, Saltmarsh, Cilley, Maxham, McKee, Walker, Mahoney of Concord, Anderson, Comi, Nutter, Burke, Kenney, Charland, Dempsey, Carpenter, Mason, DuDevoir, Mulaire, Davis of Hopkinton, Brown of Loudon, Milligan, Gay of New London, Wilman, Payeur, Thibeault of Pembroke, Ayer of Pittsfield, Young, Lovejoy, Bigelow, Bean, Workman.

HILLSBOROUGH COUNTY: Robinson of Antrim, Wiggin, Black, Herrick, Jones of Francestown, Hambleton, Poore, Fortin, Hadley, Goodwin, Abbott, Spaulding, Burgess, Lang of Manchester, Pettigrew, Soucy of Manchester, Ward 1, Danforth, Geisel, Mahony of Manchester, Pillsbury of Manchester, Robb, Dwyer, Hayes, Horan, Sullivan, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Callahan, Casey, Clancy, Ecker, Slowey, Corey, Leclerc, Paradis, Tessier, Craig, Delisle, Langlois, Lavoie, Constant, Cary, Morris, Auger, Bergeron, Kearns, Schricker, Alexander, Boisvert, Hurley, Lareau, Martel, Soucy of Manchester, Ward 12, Vaillancourt, Dion of Manchester, Gauthier, Gelinis, Lafond, Lesmerises, Cannon, Donnelly, Gamache, Deans, Wadleigh, Buckley, Peterson, Ramsdell, Saunders, Boire, Thibault of Nashua, Belcourt, Trombley, Ayers of Nashua, Brosnahan, Maynard, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Sweeney of Nashua, Dugas, Dutilly, Grandmaison, Jean, Lange-lier, Bouthillier, Dumais, Locke, Mailloux, Dutton, Rice, Eastman of Weare.

CHESHIRE COUNTY: Post, Thomas, Smith of Hinsdale, Spofford, Sweeney of Keene, McCullough, Brown of Keene, Coddington, Faulkner, Pickett, Waling, Carlton, Brown of Marlow, Sherwin, Lane, Bouvier, Lang of Troy, Ballam, Rhodes, Ingham, Thompson.

SULLIVAN COUNTY: Angus, Bloomfield, Bissonett, Firestone, Marcotte, Stone, Davis of Cornish, Reney, Bailey, Roe, Rowell, Vaughan of Newport, Pierce, Gamsby, DeLude.

GRAFTON COUNTY: Ramsey, Chamberlin of Bath, Stevenson, Plumer, Willey, Clarke of Canaan, Atkins, Bradley, Hayward, Holden, Larty, Chamberlain of Holderness, Clement of Landaff, Adams, Ashley, Cole, Jones of Lebanon, Perley, Collyer, Gardner of Littleton, Kelley, Martin, Horton, Talbot, Carr, Bell, Huckins, Barney, Sawyer.

COOS COUNTY: Dussault, Fortier, Russell, Sheridan, Brungot, Christiansen, Bouchard, Fontaine, Gagnon, Rines, Alls, Hurlbert, Bishop, Ross, Potter, Bushey, Charbonneau, Converse, Phelan, Baker, Stinson, Taylor.

And the motion to substitute the words "ought to pass" did not prevail.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

### Reconsideration

Mr. Pickett of Keene moved that the House reconsider its vote whereby it voted as "inexpedient to legislate" House Bill No. 84, An Act relative to employment of members of the General Court at race meets.

On a *viva voce* vote the motion to reconsider did not prevail.

Mrs. Gagnon of Berlin, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 4, An Act relative to write-in votes for nomination as state senator and representative, having considered the same, reported the same with the following resolution:

*Resolved.* That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Pickett of Keene moved that the words "ought to pass" be substituted for the report of the committee that it is inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)



Mr. Pickett of Keene spoke in favor of the motion.

Mr. Rainie of Concord and Mr. Waling of Keene spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

Mr. Kearns of Manchester moved that the bill be recommitted to the Committee on Executive Departments and Administration.

The question being on the motion to recommit.

On a *viva voce* vote the motion to recommit did not prevail.

Mr. Kearns of Manchester called for a division.

A division being had, 210 members having voted in the affirmative, and 105 members having voted in the negative, the motion to recommit prevailed.

Mr. Bell of Plymouth, for the Committee on Appropriations, to whom was referred House Bill No. 158, An Act relating to the commission on uniform state laws, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the words "five hundred" in the eighth line and inserting in place thereof the words, two hundred fifty, so that said section as amended shall read as follows: 1. *Commission on Uniform State Laws.* Amend section 4 of chapter 7 of the Revised Laws as inserted by chapter 100 of the Laws of 1949 and as inserted by chapter 7-a of part 5 of chapter 5 of the Laws of 1950, by striking out the same and inserting in place thereof the following: 4. *Appropriations.* For the purpose of promoting and continuing to hold national conferences the sum of five hundred dollars shall be appropriated, annually, and paid over to the National Conference of Commissioners on Uniform State Laws, and an additional sum of two hundred fifty dollars shall be likewise appropriated annually, to defray the expenses referred to in section 3.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 15, Joint Resolution in favor of the estate of John S. Ball, having

considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Eastman of Weare, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 72, An Act relative to the charter of the trustees of the Protestant Episcopal Church in New Hampshire, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ecker of Manchester, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 133, An Act to increase the amount of property permitted to be held by the New Hampshire Conference Preachers' Aid Society of the Methodist Church, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Willey of Campton, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 7, An Act relative to the charter of Colby Junior College for Women, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Gardner of Littleton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 19, An Act relating to prisoners committed to a house of correction, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out section 1 and inserting in place thereof the following: 1. *House of Correction*. Amend chapter 462 of the Revised Laws (chapter 620, RSA) by adding the following new section. 12. *Transfer of Prisoners*. The county commissioners of any county may recommend the transfer of any prisoner serving a sentence in a house of cor-

rection to any other county institution in the state when in their opinion such a transfer is in the public interest. This proceeding shall be on petition to the Superior Court with notice to the commissioners of the county to which it is planned to transfer the prisoner. Said court may, after hearing and for good cause shown, order such transfer, under such terms and conditions as appear necessary, for the balance of the term for which the prisoner was sentenced. The expense of transferring and maintaining such prisoner shall be paid by the county petitioning for the transfer.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Anderson of Concord, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 108, An Act relative to the acquisition of land by the state, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lavoie of Manchester, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 90, An Act relating to motor vehicles of minors, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Griffin of Auburn, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 48, An Act relative to distribution of election material by minors, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Payette of Portsmouth, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 121, An Act prohibiting the sale of bows and

arrows in certain cases, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Reed of Goffstown, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 67, An Act relative to travel expenses of members of the interstate control commission, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 164, An Act relating to Oyster River Cooperative School District, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 62, An Act relative to airport zoning, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Green of Rollinsford, for the Committee on Public Health, to whom was referred House Bill No. 96, An Act relative to pre-packaged meat, poultry and fish, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Green of Rollinsford, for the Committee on Public Health, to whom was referred House Bill No. 100, An Act

relative to standards of quality for ammonia, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 42, An Act relative to the sewerage system in the town of Jaffrey.

The message further announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 17, An Act relative to the salary of the justice of the municipal court of Portsmouth.

### Senate Bill Read and Referred

Senate Bill No. 17, An Act relative to the salary of the justice of the municipal court of Portsmouth.

Read a first and second time and referred to the Special Committee consisting of the Delegation from the City of Portsmouth.

### Resolutions

Mrs. Brungot of Berlin offered the following resolution:

*Whereas*, We have learned of the illness and confinement in the hospital of our fellow member, Arthur L. Simonds of Lancaster, now therefore be it

*Resolved*, That we, the members of the House of Representatives express our sincere sympathy and the hope for his speedy recovery, and be it further,

*Resolved*, That the Clerk be instructed to send flowers to Mr. Simonds and a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

### Concurrent Resolution

Mr. Comi of Concord offered the following concurrent resolution:



*Whereas*, the Junior United States Senator from New Hampshire, Norris Cotton, has introduced a resolution in Congress calling for a reduction in the age limit from sixty-five to sixty years for benefits under old age and survivors insurance, and

*Whereas*, the enactment of such legislation would be of benefit to many people in this state, now therefore

*Be it Resolved by the House of Representatives, the Senate concurring:*

That the Congress of the United States be urged to act favorably upon legislation introduced by Senator Norris Cotton relative to the age limit for old age benefits, and

That the Secretary of State be instructed to forward a copy of this resolution to the Speaker of the House of Representatives and to the President of the Senate of the United States and to our representatives and senators in Washington.

The concurrent resolution was referred to the Committee on Labor.

Mr. Pickett of Keene offered the following resolution:

*Whereas*, the Committee on Fish and Game have made certain recommendations pertaining to engineering and the Department of Public Works that a study be made of the laws pertaining to such functions, be it hereby

*Resolved*, That the Speaker name a committee of seven to carry out the recommendations of the Committee on Fish and Game.

The question being on the resolution.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by titles, and joint resolution by caption, only, and when the House adjourns today it be to meet Wednesday at 11:00 o'clock.

### Third Readings

House Bill No. 19, An Act relating to prisoners committed to a house of correction.

House Bill No. 62, An Act relative to airport zoning.

House Bill No. 72, An Act relative to the charter of the trustees of the Protestant Episcopal Church in New Hampshire.

House Bill No. 133, An Act to increase the amount of property permitted to be held by the New Hampshire Conference Preachers' Aid Society of the Methodist Church.

House Bill No. 158, An Act relating to the commission or uniform state laws.

House Bill No. 164, An Act relating to Oyster River Co-operative School District.

House Joint Resolution No. 15, Joint Resolution in favor of the estate of John S. Ball.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 7, An Act relative to the charter of Colby Junior College for Women.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Atkins of Hanover at 1:10 o'clock the House adjourned.

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WEDNESDAY, FEBRUARY 16, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Our Father in heaven, be gracious unto Thy servants, the members of this General Court. Give them strength for the tasks before them in these days of important decisions. When we are tempted to support legislation that is based on that which is not for the good of the State, but satisfies our own selfish whim, remind us that Thou art not senile, or indifferent to our actions. Thou knowest our motive behind all our actions, our thoughts before we record them by vote or other action. We cannot hide from Thee. Give us sincerity of purpose and nobleness of thought, that all we do in these days of decision may redound to the future welfare of our state and the glory of Thy Holy Name. Amen.

### Salute to the Flag

Mr. Philbrick of Rye led the convention in the salute to the flag.

### Leave of Absence

Mr. Soucy of Manchester, Ward 12, was granted leave of absence on account of death in the family.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Vaughan of Newport, House Bill No. 311, An Act relative to the construction of a dormitory for women at the University of New Hampshire, and to be liquidated from income. To the Committee on Education.

By Mrs. Goodwin of Hollis, House Bill No. 312, An Act relating to interstate compact on juveniles. To the Committee on Public Welfare and State Institutions.

By Mrs. Brungot of Berlin, House Bill No. 313, An Act relative to mileage allowances for members of the general court. To the Committee on Executive Departments and Administration.

By Mr. Jones of Fremont, House Bill No. 314, An Act to provide for the installation of windshields and tops on track motor cars operated by railroads. To the Committee on Transportation.

By Mr. Baker of Stewartstown, House Bill No. 315, An Act relative to salary of Coos county solicitor. To the Committee composed of Coos County Delegation.

By Mr. Clement of Landaff, House Bill No. 316, An Act licensing bulk milk collector tank drivers and concerns operating bulk milk collection tank routes in New Hampshire. To the Committee on Agriculture.

By Mr. Karkavelas of Dover, House Bill No. 317, An Act relative to minimum prices and regulation of hours in barber shops. To the Committee on Judiciary.

By Mr. Karagianis of Laconia, Mr. Karkavelas of Nashua, Mr. Pappagianis of Nashua, House Bill No. 318, An Act to amend the religious corporations law in relation to the incorporation of Orthodox parishes. To the Committee on Judiciary.

By Mr. Willey of Campton, House Bill No. 319, An Act relative to wild bear. To the Committee on Fish and Game.

By Mr. Rowell of Newport, House Bill No. 320, An Act authorizing the town of Newport to fund or refund its indebtedness. To the Committee on Executive Departments and Administration.

By Mr. Mulaire of Hooksett, House Bill No. 321, An Act to increase the borrowing power of the Central Hooksett Water Precinct. To the Committee on Executive Departments and Administration.

By Miss Spollett of Hampstead, House Bill No. 322, An Act to change allocation of funds from inspections in the department of agriculture. To the Committee on Agriculture.

By Mr. Lane of Swanzey, House Bill No. 323, An Act relative to killing self hunting dogs. To the Committee on Fish and Game.

By Miss Collyer of Lisbon, House Joint Resolution No. 26, Joint Resolution relative to dredging the Ammonoosuc River at Lisbon. To the Committee on Public Works.

### **Report of Committee on Engrossed Bills**

Mrs. Hayden of Ossipee, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bills:

House Bill No. 21, An Act relating to the par value of the shares of stock of insurance companies.

House Bill No. 49, An Act relative to benefit rates, earnings in waiting period and merit rates under the unemployment compensation law.

House Bill No. 42, An Act relative to the sewerage system in the town of Jaffrey.

The report was accepted.

### Committee Reports

Mrs. Nutter of Epsom, for the Committee on Education, to whom was referred House Bill No. 52, An Act to ratify the New England higher education compact, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 by striking out the words "the member who is a state legislator shall serve for a term of four years" in the seventh and eighth lines and inserting in place thereof the words, the first appointment of the member who is a state legislator shall be for a term of two years, thereafter his term shall be for four years, and by striking out the word "five" in the thirteenth line and inserting in place thereof the word, four, so that said section as amended shall read as follows: 3. *Membership of Board.* Immediately upon the passage of this act the governor shall appoint the three resident members from New Hampshire who shall be members of the New England Board of Higher Education as provided in article II of the compact. One of such resident members shall always be the President of the University of New Hampshire, the second shall be a member of the legislature of New Hampshire, and the third shall be a citizen of the state designated by the governor as his responsible representative. The first appointment of the member who is a state legislator shall be for a term of two years, thereafter his term shall be for four years, provided that if during said term said member shall cease to be a member of the legislature his term as a member of the New England Board of Higher Education shall terminate and the governor shall fill said vacancy in the same manner as above provided for appointment of the legislator member. The term of office of the third New Hampshire member of the board shall be for four years and until his successor is appointed and qualified. Each member of the board shall receive his expenses actually and necessarily incurred by him in the performance of his duties hereunder. In addition thereto each member, except the President of the University of New Hampshire, shall receive fifteen dollars per day compensation for time actually spent in the work as such member, provided that the total for expenses and per diem compensation for each member shall not exceed the



sum of five hundred dollars during any one fiscal year. All expenses and per diem compensation shall be audited by the comptroller as expenses of other employees are audited, and shall be a charge against the special appropriation provided by this act.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following: 4. *Appropriation.* The sum of twelve thousand dollars is hereby appropriated and made available for expenditure for the purposes of this act, provided that said funds hereby appropriated shall not lapse until June 30, 1957. The sum hereby made available for the purposes of this act shall be a charge against the general fund of the state and the governor is authorized to draw his warrant for said sum, or so much thereof as may be required for the purposes hereof, out of any money in the treasury not otherwise appropriated.

Further amend said bill by striking out section 5 and renumbering section 6 to read section 5.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Vaughan of Newport spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill was referred to the Committee on Appropriations.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 181, An Act relative to fishing and hunting licenses for certain non-residents, having considered the same, reported the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 116, An Act

relative to the discharge of firearms, having considered the same, reported the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 167, An Act relative to expenditure of state funds on class IV compact section highways, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fogg of Deerfield, for the Committee on Public Works to whom was referred House Bill No. 130, An Act relating to the Sandwich Notch and Dale road in the towns of Sandwich and Thornton, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Parmenter of Londonderry, for the Special Committee consisting of the members from Rockingham County, to whom was referred House Bill No. 159, An Act relative to the salary of treasurer of Rockingham County, having considered the same, reported the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Hundley of Portsmouth, for the Committee on Ways and Means, to whom was referred House Bill No. 144, An Act relative to the rate of tax on interest and dividends, having considered the same, reported the same with the following resolution:

*Resolved*, That the Justices of the Supreme Court be respectfully requested to give their opinion upon the following question of law:

Do the provisions of House Bill No. 144, An Act relative

to the rate of tax on interest and dividends, violate the fundamental law of the state with respect to the determination and collection of taxes;

*And be it further Resolved*, That the Speaker transmit a copy of House Bill No. 144 to the Clerk of the Supreme Court for consideration by said court.

The report was accepted, and the resolution of the committee adopted.

Mrs. Hundley of Portsmouth, for the Committee on Ways and Means, to whom was referred House Bill No. 145, An Act relating to an equalized average income tax rate, having considered the same, reported the same with the following resolution:

*Resolved*, That the Justices of the Supreme Court be respectfully requested to give their opinion upon the following question of law:

Do the provisions of House Bill No. 145, An Act relating to an equalized average income tax rate, violate the fundamental law of the state with respect to the determination and collection of taxes;

*And be it further Resolved*, That the Speaker transmit a copy of House Bill No. 145 to the Clerk of the Supreme Court for consideration by said court.

The report was accepted, and the resolution of the committee adopted.

### Senate Message

A message sent down from the Honorable Senate by its Clerk announced that:

The Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 15, An Act relative to recordation of liens on real estate for payment of tax on income.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 18, An Act increasing the appropriation for dormitory at Keene Teachers College.

House Bill No. 45, An Act changing the classification of a road in the town of Merrimack.

#### Order vacated

On motion of Mr. Crandall of Dover, the order whereby House Bill No. 13, An Act relative to mileage for members of the legislature, was referred to the Committee on Transportation, was vacated, and the bill was referred to the Committee on Executive Departments and Administration.

#### Resolutions

Mrs. Lareau of Manchester offered the following resolution:

*Whereas* Delvenia Boisvert, sister of Louis Soucy, Representative from Manchester, recently passed away, therefore be it

*Resolved*, That we, the Members of the House of Representatives extend our sympathy to our fellow member in his bereavement, and be it further

*Resolved*, That the Clerk of the House transmit to Representative Soucy a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

#### Committee Appointed

*Whereas*, the Committee on Fish and Game have made certain recommendations pertaining to engineering and the Department of Public Works that a study be made of the laws pertaining to such functions, be it hereby

*Resolved*, That the Speaker name a committee of seven to carry out the recommendations of the Committee on Fish and Game.

Pursuant to the above resolution which was adopted by the House on Tuesday, February 15. the Speaker named as members of such committee: Messrs. Walker of Concord, chairman, Bradley of Hanover, Clerk, Davis of Hopkinton, Mrs. Atwood of Sanbornton, Messrs. Pickett of Keene, Malley of Somersworth, and Moher of Dover.

#### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in

order at the present time, that third readings of bills be by title only, and that when the House adjourns today it be to meet Thursday at 11:00 o'clock.

### **Third Reading**

House Bill No. 167, An Act relative to expenditure of state funds on class IV compact section highways.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Christiansen of Berlin at 12:00 o'clock the House adjourned.

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THURSDAY, FEBRUARY 17, 1955

The House met at 11:00 o'clock.

Prayer was offered by guest chaplain, the Rev. J. Edison Pike, pastor of St. James Episcopal Church of Keene.

Almighty God, our Heavenly Father, we ask for Thy guidance and wisdom to be upon the members of the House of Representatives this day. May their work be always done as Thine and may Thy spirit of love and brotherhood guide them so that they may do their work in understanding and mutual goodwill, to the benefit of those whom they serve, and in Thy name. Amen.

### **Salute to the Flag**

Mr. Sheridan of Berlin led the convention in the salute to the flag.

### **Leaves of Absence**

Mr. Karagianis of Laconia was granted leave of absence for the day on account of attending a funeral.

Mr. Green of Rollinsford was granted leave of absence for the day on account of important business.

### **Recess**

The Speaker introduced Mr. Wendell Barnes, U. S. Small Business Administrator, who addressed the House briefly.



### Introduction of a Bill

The following bill was introduced, read a first and second time and laid upon the table to be printed, and referred as follows:

By Mr. Bradley of Hanover, House Bill No. 324, An Act providing for a one per cent sales and use tax for education and to increase state funds. To the Committee on Ways and Means.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 44, An Act relative to granting school districts and cities temporary emergency exemptions from the provisions of the Municipal Finance Act.

Amend section 1 of chapter 9 as inserted by section 1 of said bill by striking out the words "as last equalized by the tax commission" in the eighth line thereof and further amend said section by adding at the end thereof the words, of the assessed valuation, so that said section as amended shall read as follows:

### Chapter 9

1. *Authority.* Despite the provisions of section 4 of chapter 72 of the Revised Laws (the Municipal Finance Act), any school district, and any city which maintains a school department is hereby authorized and empowered to issue its serial bonds or notes for the construction of new school buildings, including the acquisition of land, grading, and the purchase of furniture, furnishings and equipment, or for the alteration, addition and improvement of existing school facilities to an amount not exceeding six per cent of the latest assessed value of the taxable property plus the average assessed valuation of the growing wood and timber of such school district or city for the years 1944 to 1948 inclusive, all as determined by the tax commission under the provisions of section 4 of the Municipal Finance Act. Existing outstanding indebtedness of such district or city incurred for school or educational purposes shall be included in determining the borrowing capacity here-

under provided that in cities the total borrowing capacity for all municipal purposes, including schools, shall not exceed nine per cent of the assessed valuation.

Amend section 2 of the bill by striking out the words "January 1, 1957" in the third line and inserting in place thereof the words, June 30, 1957, so that said section as amended shall read as follows:

2. *Takes Effect: Expiration.* This act shall take effect upon its passage, provided that any action taken hereunder by any school district or city shall be completed before June 30, 1957, except such action as may be necessary to carry out such approval as may be granted under section 7. The foregoing limitation of this act shall not affect the validity of any bonds or notes issued by authority thereof.

Amend section 4 of chapter 9, as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following: 4. *Board of Investigation Designated.* There shall be a board of investigation composed as follows: A member of the tax commission, to be selected by said commission, who shall serve as chairman of the board; the commissioner of education; one member of the senate, appointed by the president of the senate; and one member of the house of representatives, appointed by the speaker of the house of representatives; and one other person having knowledge of educational and financial matters to be appointed by the governor. In the absence, disability, or refusal of the member appointed by the president of the senate, the member appointed by the speaker of the house of representatives, or the person appointed by the governor, to serve on said board, the president of the senate, or the speaker of the house of representatives, or the governor, as the case may be, shall designate some other member or person to serve as a member of said board. The board shall choose one of their number to serve as clerk. The non-state-salaried members of said board shall receive compensation for their services at the rate of ten dollars per diem and their reasonable expenses, and said compensation, together with the other expenses incurred by the board shall be paid by the school district or city whose proposals are to be examined. Said board shall make a complete stenographic record of its hearings.

On motion of Mr. Vaughan of Newport, the House voted

to concur in the amendments sent down from the Honorable Senate.

Mr. Willey of Campton called for a division.

A division being had, 335 members having voted in the affirmative and one member having voted in the negative, the House voted to concur in the amendments sent down from the Honorable Senate, and the bill was sent to the Senate for concurrence.

### **Senate Joint Resolution Read and Referred**

The message further announced that the Senate had passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

Senate Joint Resolution No. 3, Joint Resolution relative to a study of old age and survivors' insurance for state employees.

Read a first and second time, and referred to the Committee on Appropriations.

### **Rules Suspended**

On motion of Mr. Scamman of Stratham, the rules were suspended, to allow a public hearing on Senate Joint Resolution No. 3, for Wednesday, February 23, not previously advertised.

### **Report of Committee on Engrossed Bills**

Mrs. Hundley of Portsmouth, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bills:

House Bill No. 15, An Act relative to recordation of liens on real estate for payment of tax on income.

House Bill No. 18, An Act increasing the appropriation for dormitory at Keene teachers college.

House Bill No. 45, An Act changing the classification of a road in the town of Merrimack.

The report was accepted.

### **Committee Reports**

Mr. Karkavelas of Dover, for the Committee on Liquor Laws, to whom was referred House Bill No. 66, An Act relating to fees and licenses for the sale of liquor in restaurants,

having considered the same, reported the same with the recommendation that the bill ought to pass.

We, the undersigned, a minority of the Committee on Liquor Laws, to whom was referred House Bill No. 66, An Act relating to fees and licenses for the sale of liquor in restaurants, having considered the same, and being unable to agree with the majority, reported the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

ALFRED W. POORE,  
W. A. SAUNDERS,  
T. F. McCAFFERY,  
THOMAS PRYOR,  
P. P. CHARLAND,

*For Minority of the Committee.*

The reports were accepted.

Mr. Karkavelas of Dover spoke in favor of the report of the committee, that the bill ought to pass.

Mr. Poore of Goffstown moved that the report of the minority, inexpedient to legislate, be substituted for that of the majority, ought to pass.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Poore of Goffstown, Deans of Milford, Rainie of Concord, Wadleigh of Milford, Reed of Goffstown, and Townsend of Lebanon and Mesdames Frizzell of Charlestown and Atkins of Hanover, spoke in favor of the motion to substitute.

Messrs. Brown of Marlow, Jones of Lebanon, Plumer of Bristol, Mahony of Manchester, Gardner of Littleton, and Willey of Campton, and Mrs. DeLude of Unity spoke against the motion to substitute.

Mr. Charland of Franklin, moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Charland of Franklin, Clement of Rochester, Clarke of Canaan, Eldredge of Exeter, Brown of Loudon and Craig of Manchester, and Mrs. Hayward of Hanover, spoke in favor of the motion to indefinitely postpone.

Messrs. Stevenson of Bethlehem, Pickett of Keene, Waling of Keene, and Skinner of Alton spoke against the motion to indefinitely postpone.

Mr. Spaulding of Hudson moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Robb of Manchester demanded the yeas and nays and the roll was called with the following result:

### 208, Yeas

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Herrick, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Goodwin, Abbott, Burgess, Pillsbury of Manchester, Kean, Healy of Manchester, Ward 6, Corey, Craig, Langlois, Boisvert, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Buckley, Cummings, Peterson, Ramsdell, Saunders, Boire, Thibault of Nashua, Brosnahan, Maynard, Dionne of Nashua, Chartrain, Sweeney of Nashua, Dugas, Bouthillier, Dumais, Locke, Aho, Dutton, Willard, Eastman of Weare.

CHESHIRE COUNTY: Burnham, Post, Pike, Smith of Hinsdale, Perry, Spofford, Kirk, McCullough, Wheeler, Bennett, Coddington, Carlton, Lane, Bouvier, Billings, Ingham.

SULLIVAN COUNTY: Bascom, Frizzell, Bissonett, Millar, Davis of Cornish, Nelson of Goshen, Reney, Bailey, Roe, Rowell, Vaughan of Newport, Pierce.

GRAFTON COUNTY: Pryor, Clarke of Canaan, Sanborn, Atkins, Hayward, Holden, Chamberlain of Holderness, Clement of Landaff, Adams, Cole, Townsend, Kelley, Martin, Frazer, Bell, Barney.

COOS COUNTY: Alls, Hurlbert, Bishop, Ferguson, Cornelius, Potter, Annis, Converse, Baker, Stinson, Taylor.

ROCKINGHAM COUNTY: Griffin, Dudley, Persson, Tenney, Shattuck, Fogg, Bisbee, Clarke of Derry, Gay of Derry, Eastman of Exeter, Eldredge, Merrill, Rathbone, Jones of Fremont, Weeks of Greenland, Spollett, Hunter, Tobey, Thurlow, Battles, Parmenter, McCaffery, Cheney, Carter, Palmer, Dondero, Payette, Murch, Travis, Joyce, Wardwell, Munz, Ingraham,



Philbrick, Haigh, Willis (Anna), Willis, (Howard), Pillsbury of Sandown, Felch, Robinson of South Hampton, Scamman.

STRAFFORD COUNTY: Swain, Felker, Webb, Funkhouser, Littlehale, Nute, Chadbourn, Wentworth, Evans, Rolfe, Dustin, Studley, Clement of Rochester, Estes, Brown of Strafford.

BELKNAP COUNTY: McAllister, Boutin, Hart, Rogers, Tilton, Ballentine, Burbank, Varrell, Smith of Meredith, Urie, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Roberts, Stokes, Nickerson of Madison, Lamprey, Hayden, Remick, Hodgdon, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Phelps, Ellsworth, Vaughn of Bow, Vogel, Stevens, Dowd, Davis of Concord, Henry, Hancock, Shea of Concord, Lessels, Jewett, Rainie, Saltmarsh, Cilley, Maxham, McKee, Walker, Mahoney of Concord, Anderson, Nutter, Charland, Carpenter, Mason, Davis of Hopkinton, Brown of Loudon, Milligan, Gay of New London, Wilman, Ayer of Pittsfield, Lovejoy, Bigelow, Workman.

### 153, Nays

HILLSBOROUGH COUNTY: Fortin, Latour, Spaulding, Lang of Manchester, Pettigrew, Soucy of Manchester, Ward 1, Danforth, Geisel, Mahony of Manchester, Robb, Dwyer, Hayes, Horan, Sullivan, Fitzgerald, Nolan, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Callahan, Casey, Ecker, Slowey, Leclerc, Paradis, Tessier, Delisle, Lavoie, Constant, Cary, Morris, Auger, Bergeron, Kearns, Schricker, Alexander, Hurley, Lareau, Martel, Soucy of Manchester, Ward 12, Vaillancourt, Dion of Manchester, Gauthier, Gelinis, Lafond, Lesmerises, Cannon, Donnelly, Gamache, Belcourt, Trombley, Ayers of Nashua, Pappagianis, Shea of Nashua, Dutilly, Grandmaison, Jean, Bardol.

CHESHIRE COUNTY: Thomas, Haley, Sweeney of Keene, Brown of Keene, Faulkner, Pickett, Waling, Brown of Marlow, Sherwin, Lang of Troy, Ballam, Rhodes, Thompson.

SULLIVAN COUNTY: Angus, Bloomfield, Howe, Marcotte, Simms, Stone, DeLude.

GRAFTON COUNTY: Ramsey, Chamberlin of Bath, Steven-

son, Plumer, Willey, Bradley, Larty, Ashley, Jones of Lebanon, Gardner of Littleton, Horton, Talbot, Carr, Huckins, Sawyer.

COOS COUNTY: Dussault, Fortier, Roy, Russell, Sheridan, Brungot, Christiansen, Bouchard, Fontaine, Gagnon, Rines, Ross, Bushey, Charbonneau, Phelan.

ROCKINGHAM COUNTY: Blair, Labranche, Sewall, Pinkham, Barrett, Hundley, Sadler, Quirk, Leary.

STRAFFORD COUNTY: Moher, Karkavelas, Desjardins, Connell, Crandall, Flanagan, Nadeau, St. Pierre, Maloomian, Letourneau, Cormier, Malley.

BELKNAP COUNTY: Skinner, Gardner of Gilford, Morin, Simoneau, O'Shan, Dana, Miner.

CARROLL COUNTY: Hodge.

MERRIMACK COUNTY: Baron, Ferrin, Nelson of Concord, Corbett, Comi, Broadhurst, Burke, Kenney, Dempsey, DuDevoir, Mulaire, Payeur, Thibeault of Pembroke, Young, Bean.

### Pairs

Mr. Stearns of Durham voting YES paired with Mr. Black of Bennington voting NO.

Mr. Benson of Conway voting Yes paired with Mr. Peaslee of Wakefield voting NO.

Mr. Downs of Conway voting YES paired with Mr. Gilbert of Wentworth voting NO.

Mr. Wiggin of Bedford voting YES paired with Mr. Clancy of Manchester voting NO.

Mr. Hadley of Hillsborough voting YES paired with Mr. Gamsby of Sunapee voting NO.

Mr. Perley of Lebanon voting YES paired with Mr. Firestone of Claremont voting NO.

And the motion to indefinitely postpone prevailed.

### Vote Recorded

Miss Collyer of Lisbon, having not been recorded, desired to be recorded as voting "yes" on the motion to indefinitely postpone House Bill No. 66.

### Special Order

On motion of Mr. Pickett of Keene the remainder of the committee reports advertised for Thursday, February 17 was made a special order of business for Wednesday, February 23, at 11:01 o'clock.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

### Afternoon

The House was immediately called to order in afternoon session.

On motion of Mrs. Dustin of Rochester at 3:11 o'clock the House adjourned.

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### WEDNESDAY, FEBRUARY 23, 1955

The House met at 11:00 o'clock.

Prayer was offered by guest Chaplain, the Rev. Harland G. Lewis, the Church of Christ at Dartmouth College, Hanover, N. H.

Let us pray: Help us who are here not to forget the people who sent us here, we pray. Behind each of us are the mothers, fathers, and children of the homes of our villages and countryside. There are the elderly who have worked their years and now quietly wait: the young men who serve our nation in far, strange places. All are thy people—of New Hampshire valleys and hills. Let us never think cheaply of them, nor forget them. Nor let us forget Thee, either. We cannot hide from Thee. May we not be ashamed to have Thee know our innermost heart and mind: our secret thoughts and words. Guide us in this day of decision; we who are thy servants. Amen.

### Salute to the Flag

Mrs. DeLude of Unity led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Sleeper of Haverhill, and Gay of Derry were granted leaves of absence for the week on account of illness.

Messrs. Lamprey of Mountonborough and Craig of Manchester were granted leaves of absence for the day on account of important business.

Mr. Urie of New Hampton was granted leave of absence for Wednesday and Thursday on account of illness.

Mr. Beamis of Somersworth was granted leave of absence for Wednesday and Thursday on account of important business.

### Introduction of Bills

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Mr. Perley of Lebanon, House Bill No. 325, An Act providing bonus benefits to certain veterans of the Korean conflict with racing fund contributions. To the Joint Committee on Ways and Means and Military and Veterans' Affairs.

By Mr. Cilley of Concord, House Bill No. 326, An Act relative to the construction or alteration of highways, and the assessment of highway construction damages. To the Joint Committee on Judiciary and Public Works.

By Mrs. Roe of Newport, House Bill No. 327, An Act to provide state aid for nursing education. To the Committee on Education.

By Mr. Pillsbury of Manchester, House Bill No. 328, An Act to revise the nurse practice act. To the Committee on Education.

By Mr. Gay of Derry, House Bill No. 329, An Act relative to disabled veterans. To the Committee on Military and Veterans' Affairs.

By Mrs. Brungot of Berlin, House Bill No. 330, An Act relative to absentee voting. To the Committee on Judiciary.

By Mr. Mulaire of Hooksett, House Bill No. 331, An Act relative to protection of public water supply. To the Committee on Public Health.

By Mr. Weeks of Wolfeboro, House Bill No. 332, An Act relative to the payment of poll and head taxes. To the Committee on Executive Departments and Administration.

By Mr. McKee of Concord, House Bill No. 333, An Act relative to workmen's compensation. To the Committee on Judiciary.

By Mr. Alexander of Manchester and Mr. Donnelly of Manchester, House Bill No. 334, An Act relative to the observance of the memory of General Lafayette. To the Committee on Military and Veterans' Affairs.

By Mr. Pillsbury of Manchester, House Bill No. 335, An Act to change the fees for the licenses and permits of practical nurses. To the Committee on Education.

By Mr. Ingraham of Portsmouth, House Bill No. 336, An Act relative to residence of officers and directors of savings banks and building and loan associations. To the Committee on Banks.

By Mrs. Brungot of Berlin, House Bill No. 337, An Act increasing the membership of the fish and game commission. To the Committee on Fish and Game.

By Mrs. Brungot of Berlin, House Bill No. 338, An Act relative to fish and game commission. To the Committee on Fish and Game.

By Mr. Jones of Lebanon, House Bill No. 339, An Act relative to taking otter during open season for taking beaver. To the Committee on Fish and Game.

By Mr. Brown of Marlow, House Bill No. 340, An Act to prevent the destruction of the New Hampshire elk. To the Committee on Fish and Game.

By Mr. Ford of Wolfeboro, House Bill No. 341, An Act relative to payment of tuition of high school pupils. To the Committee on Education.

By Mr. Chase of Dover, House Bill No. 342, An Act relative to the pay of the national guard. To the Committee on Military and Veterans' Affairs.

By Mr. Willey of Campton, House Bill No. 343, An Act relative to state employees group life insurance. To the Committee on Insurance.



By Mr. Haley of Keene, House Bill No. 344, An Act authorizing purchase of group term life insurance covering state employees. To the Committee on Insurance.

By Mrs. Brungot of Berlin, House Bill No. 345, An Act relative to the state employees retirement system in the City of Berlin. To the Committee on Judiciary.

By Mr. Reed of Goffstown, Mr. Hambleton of Goffstown, Mr. Poore of Goffstown and Mr. Jennings of Goffstown, House Bill No. 346, An Act changing the effective date of the classification of certain waters of the Piscataquog river and its tributaries. To the Committee on Resources, Recreation and Development.

By Mr. Chamberlain of Holderness and Mr. Pryor of Ashland, House Bill No. 347, An Act relative to the licensing, inspection and regulation of hospitals and related institutions. To the Committee on Public Health.

By Mr. Paradis of Manchester, House Bill No. 348, An Act relative to the minimum wage law. To the Committee on Labor.

By Mr. Payeur of Pembroke, House Bill No. 349, An Act relative to hourly wage for employees. To the Committee on Labor.

By Mr. Angus of Claremont, House Bill No. 350, An Act relative to workmen's compensation. To the Committee on Labor.

By Mr. Brown of Loudon, House Bill No. 351, An Act relative to the weight of ice cream. To the Committee on Public Health.

By Mr. Hadley of Hillsborough, House Bill No. 352, An Act relative to the licensing of auctioneers. To the Committee on Judiciary.

By Mr. McKee of Concord, House Bill No. 353, An Act relating to extended coverage in policies of liability insurance. To the Committee on Insurance.

By Mrs. Funkhouser of Durham, House Joint Resolution No. 27, Joint Resolution to continue and extend the study of groundwater resources within the state. To the Committee on Resources, Recreation and Development.

By Mrs. Funkhouser of Durham, House Joint Resolution No. 28, Joint Resolution to provide for a cooperative aerial geophysical survey of portions of the State of New Hampshire. To the Committee on Resources, Recreation and Development.

By Mr. Haley of Keene, House Joint Resolution No. 29, Joint Resolution in favor of Stanley J. Ornell. To the Committee on Appropriations.

By Mr. Haley of Keene, House Joint Resolution No. 30, Joint Resolution in favor of H. P. Welch Company. To the Committee on Appropriations.

By Mr. Lessels of Concord, House Joint Resolution No. 31, Joint Resolution to study the feasibility of the purchase by the state of the Margaret Pillsbury or Memorial Units of the Concord Hospital as a nursing home for needy elderly persons. To the Committee on Public Welfare and State Institutions.

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled bills:

Senate Bill No. 7, An Act relative to the charter of Colby Junior College for Women.

House Bill No. 44, An Act relative to granting school districts and cities temporary emergency exemption from the provisions of the municipal finance act.

The report was accepted.

### **Special Order**

Mr. Pickett of Keene called for the Special Order for 11:01 o'clock, it being, all committee reports advertised for Thursday, February 17.

### **Committee Reports**

Mrs. Hurlbert of Errol for the Committee on Fish and Game, to whom was referred House Bill No. 91, An Act relative to shooting wild animals in the nighttime, having considered the same, reported the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Converse of Pittsburg, for the Committee on Fish and Game, to whom was referred House Bill No. 95, An Act relative to the taking of lobsters and crabs, having considered the same, reported the same in new draft and with new title, with the recommendation that the bill in its new draft and with its new title be recommitted to the Committee on Fish and Game.

The report was accepted.

The question being on the recommendation of the committee.

On a *viva voce* vote the recommendation of the committee was adopted.

House Bill No. 95 (in new draft and with new title), An Act relative to taking of lobsters and crabs, was read a first and second time, laid upon the table to be printed and referred to the Committee on Fish and Game.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 123, An Act relative to the establishment of fishing regulations, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the word "each" in the fourth line, the words, and by striking out the word "biennial" in the sixteenth line and inserting in place thereof the word, annual; further amend by striking out the word "biennial" in the twentieth line and inserting in place thereof the word, annual, so that said section as amended shall read as follows: 1. *Hearings; Time of.* Amend section 11 of chapter 240 of the Revised Laws (section 11, chapter 206, R S A) by striking out the words "in each odd-numbered" in the first line and inserting in place thereof the words, once each and by striking out the word "biennial" in the sixteenth line and inserting in place thereof the word, annual, so that said section as amended shall read as follows: 11. *Hearings.* Once each year the director shall hold public hearings for the purpose of hearing interested parties with respect to his duties, as set forth in this title. Such hearings shall be held at the superior court house in Concord commencing at 10 a. m. on the first Monday after the fourth of July, and at the superior court house at Lancaster, commencing at 10 a. m. on the first Friday

following the first Monday after the fourth of July. It shall be the duty of the members of the commission to be in attendance at such hearings. In the event of the illness of the director, or a majority of the commission not being present, or other unforeseen contingency, such hearings shall be adjourned or postponed. In the event of such adjournment or postponement notice of the time of subsequent hearing shall be posted at such court house and given such other publicity as the director shall deem proper to give adequate notice thereof to interested parties. The director may in his discretion conduct other public or private hearings throughout the year upon petition of interested parties. At the annual hearings held at Concord and Lancaster and at other public hearings that the director shall hold in accordance with the provisions of this section, any person having any testimony to present which bears upon the power and authority of the director under the provisions of this title, shall be given full opportunity to be heard, and the director shall cause a complete stenographic record to be kept of all testimony taken.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 126, An Act relative to brook trout, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 47, An Act relative to investigation of subversive activities, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rule.

Mr. Rathbone of Exeter, for the Committee on Judiciary, to whom was referred House Bill No. 127, An Act relating to the execution of bonds of the state, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Faulkner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 150, An Act to authorize administration of small estates upon giving bond without sureties, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Angus of Claremont, for the Committee on Labor, to whom was referred House Bill No. 38, An Act to establish a board of boiler rules and to provide for inspection of boilers and unfired pressure vessels, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

### Recommitted

On motion of Mr. Rogers of Laconia, House Bill No. 93, An Act relative to classification of a certain road in the town of Stratford, was recommitted to the Committee on Public Works.

Mr. Barney of Rummey, for the Committee on Resources, Recreation and Development, to whom was referred Senate Bill No. 2, An Act relative to reimbursement to towns and cities for land taken by the United States for flood control, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Angus of Claremont, for the Committee on Labor, to whom was referred House Bill No. 10, An Act relative to the designation of bargaining agencies for employees, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the bill by striking out section 1 and inserting in place thereof the following: 1. *Application*. Amend section 17 of chapter 210 of the Revised Laws (chapter 273, R S A) by inserting after the word "himself" in the third line the words, by secret ballot or otherwise, and by striking out the words "in writing" in the fourth line so that said section as



amended shall read as follow: 17. *Application by Agent.* When an application is signed by an agent claiming to represent a majority of such employees the commissioner shall, before proceeding further, satisfy himself by secret ballot or otherwise that such agent is duly authorized to represent such employees, but the names of the employees giving such authority shall be kept secret by the commissioner.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 98, An Act providing for a constitutional convention, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

Mr. Davis of Hopkinton, for the Committee on Appropriations, to whom was referred House Bill No. 134, An Act to provide for the perambulation of the Maine and New Hampshire boundary line, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 4 of the bill by striking out the words "forty-five hundred" in the first and second lines and inserting in place thereof the words, five thousand, so that said section as amended shall read as follows: 4. *Appropriation.* There is hereby appropriated the sum of five thousand dollars to carry out the provisions of this act. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 184, An Act relative to honorary hunting and fishing licenses, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 175, An Act to prevent the interruption of municipal services and to continue good relations existing between the New Hampshire municipalities and their employees, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Municipalities.* Amend chapter 51 of the Revised Laws (chapter 31 R S A) by inserting after section 3 the following new section: 3-a. *Collective Bargaining Agreements.* Whenever a New Hampshire municipality enters into a written agreement with a union of its employees, said agreement shall contain provisions for the following: I. The union shall agree not to engage directly or indirectly in any strike, walk-out, slowdown, or any picketing activities; and the municipality agrees to engage in no lockouts. II. The union and the municipality shall agree that should a dispute arise that cannot be settled amicably, said dispute shall be referred to a committee of three citizens of the municipality, constituted as follows: The first member shall be appointed by the municipality, and the second member to be appointed by the union of the employees. The third member of said committee shall be appointed by the first two members. If either party is not satisfied with the findings of the citizens' committee, said dispute shall then be referred to the New Hampshire state board of arbitration. The findings of said board of arbitration shall be final and binding on both parties. The board at its discretion shall appoint an arbitrator, if it is inconvenient for the entire board to arbitrate the case. The arbitrator shall interpret and apply this agreement but he shall not have power or authority to add to or subtract from the contract, and his findings shall be binding on both parties.

The report was accepted, and the amendment laid upon the table, to be printed, under rule 48.

**Report Pertaining to the Administration and Operation of the  
Old Age and Survivors Program for Public Employees  
in New Hampshire.**

February 17, 1955

Honorable Charles Griffin  
Speaker of the House  
House of Representatives  
Concord, New Hampshire

DEAR REPRESENTATIVE GRIFFIN:

In accordance with Chapter 234 of the Laws of 1951, we are enclosing the second biennial report pertaining to the administration and operation of the Old Age and Survivors Insurance program for public employees in New Hampshire.

In the 1953 session of the General Court, this report was inserted in the Journal of the House of Representatives, and we solicit your cooperation in handling this report in the same fashion.

Very truly yours,

JAMES J. BARRY,  
*Commissioner.*

**Report to the 1955 Session of the General Court Concerning  
Old Age and Survivors Insurance Coverage for  
Public Employees**

*Growth of State-Local OASI Program*

There are 126 political subdivisions now enrolled in the state-local OASI program, 56 having been added in the last biennium. In 1953 seven modifications to the federal-state agreement resulted in 30 political subdivisions adopting OASI for their employees while in 1954 four modifications added 26 political subdivisions to those that had OASI coverage.

The wage contributions to the federal government have increased during the biennium due to the additional number of political subdivisions participating in the program and also because of the increase in the employer's and employee's share of the Social Security tax from 1 ½% to 2% as of January 1, 1954. In the last two quarters of 1954 the State Agency paid over \$35,000 in each quarter to the Federal government for wage contributions, which is more than twice as much as was paid to the Federal government in any quarter of the first biennium.

The number of employees being reported under OASI has steadily increased during the biennium and in the last quarter of 1954 there were 3,916 employees listed on the wage reports. The highest number reported in the previous biennium was 2,147 so the 3,916 represents an increase of 82.4%.

The following tabulation illustrates the increase in the number of employees reported and in the amount of wage contributions by quarters.

FIGURE I

**Amount of Wage Contributions and Number of Employees  
Reported Under Old Age and Survivors Insurance  
Program by Quarters, March 1953-  
December 1954**

Quarter Ended	Wages Subject to Contributions	Wage Contributions	Number of Employees Reported
March 31, 1953	\$548,651.18	\$16,454.16	2,015
June 30, 1953	649,807.00	19,494.23	2,603
September 30, 1953	683,090.77	20,492.69	2,511
December 31, 1953	729,898.20	21,897.03	2,961
March 31, 1954*	677,117.30	27,084.72	2,324
June 30, 1954	779,454.86	31,162.24	3,047
September 30, 1954	876,348.80	35,053.96	3,183
December 31, 1954	890,714.88	35,628.59	3,916

\* Both employer's and employee's share of Social Security tax increased from 1½% to 2% effective this quarter.

### *Administrative Problems*

In general, the program has been operating smoothly during the biennium showing the steady and consistent growth evidenced in the above table. Your State Agency has found that many of the smaller political subdivisions do not wish to report the wages of their temporary or emergency employees and, consequently, have not enrolled under the program. For this reason, it is recommended that Chapter 234 of the Laws of 1951 be amended to provide for the optional exclusions from coverage possible under the Social Security Act.

Your State Agency also believes that the assessment of administrative cost on a percentage of wage contributions basis would be more equitable than the present per capita method. These two problems are discussed in greater detail under "Recommendations."



The employment status of certain individuals working for the political subdivisions is not always clear, and the State Agency has had to request numerous opinions from the Attorney General on these borderline cases.

### *Retroactive Coverage Under Chapter 89 of the Laws of 1953*

The 1953 Legislature passed Chapter 89 which provided that all political subdivisions securing OASI coverage before December 31, 1953 could make such coverage retroactive to January 1, 1951 instead of merely to the first day of the year in which agreement was approved by the Federal government. One town and four school districts that had already negotiated agreements with the State Agency modified these agreements to secure coverage retroactive to January 1, 1951, and two towns that had not yet executed agreements also obtained retroactive coverage to January 1, 1951.

### *Temporary State Employees*

There are over 2,000 temporary employees of the State of New Hampshire who are not eligible for membership in the State Employees Retirement System. Almost every state department has some temporary employees working for it at one time or another but the majority of them are hired by the Department of Public Works and Highways and by the institutions. While these employees currently have no retirement protection, they may be brought under OASI coverage at any time without a referendum by a modification to the present New Hampshire federal-state agreement. The wishes of these temporary employees for retirement protection could be ascertained as the first step in deciding whether or not they should be covered by old age and survivors insurance. Since OASI coverage is almost universal in the United States, such coverage for these employees would serve to maintain their retirement protection while working for the State and would be augmented by their subsequent employment elsewhere.

### *Public Relations and Source Aspects*

Each January the State Agency mails to every eligible political subdivision in New Hampshire not under the program, informational material concerning the state-local OASI program together with model articles suitable for insertion in the warrant for the town or school district meeting. This informational service has contributed to the growth of the program in the state.



The State Agency explains the benefits and eligibility requirements of old age and survivors insurance to all persons seeking such information, and in the last two months at the request of Governor Gregg prepared and distributed to all State employees a series of three informational bulletins on OASI and the possibilities of its coordination with the State Retirement System.

The 1954 Amendments to the Social Security Act have resulted in greater interest in OASI along with coverage possibilities for certain groups previously ineligible. The State Agency is answering numerous requests for information as a result of these recent developments in the OASI program.

### **Recommendations for Amendments to Chapter 234 of the Laws of 1951**

#### *(1) Technical Amendments*

The 1954 Amendments to the Social Security Act passed by the 83rd Congress will necessitate the following routine revisions in the state enabling act, Chapter 234 of the Laws of 1951:

(1) Throughout the act strike out the term "Federal Security Administrator" wherever it appears and substitute the term "Secretary of Health, Education and Welfare."

(2) Wherever necessary throughout the act re-define the term "Federal Insurance Contributions Act" in terms of the 1954 Amendments to the federal Internal Revenue Code.

(3) Amend the effective date of coverage to allow any modification entered into after December 31, 1954 and before January 1, 1958 to be effective with respect to services performed after December 31, 1954 or later.

#### *(2) Civilian Employees of the New Hampshire Guard*

The 1954 Amendments also provided that civilian employees of National Guard units of a state, employed pursuant to Section 90 of the National Defense Act of June 3, 1916 (32 U.S.C., sec 42) and paid from funds allotted to such units by the Department of Defense, shall for the purposes of OASI be deemed to be employees of the State. The Department of Defense will pay the employer's tax on these employees. They are not considered state employees by the state and hence have no retirement protection at this time. They cannot secure OASI coverage under Chapter 234 of the Laws of 1951 as it now

stands. Some special revision of Chapter 234 is necessary along the lines of the Social Security Act to enable them to be covered under the New Hampshire agreement and to authorize the state to pay the administrative cost on these employees.

### *(3) Optional Exclusions*

The State Agency has been administering the OASI program for political subdivisions in New Hampshire since 1951 and the experience gained in these years indicates the need for taking advantage of the optional exclusions from OASI coverage that are possible under the Social Security Act. The following groups of state and local employees may be excluded from OASI coverage at the option of the state or political subdivision provided the necessary provision is made for these options in the state enabling act. Thirty-three out of the forty states with agreements have made the election of any or all of these optional exclusions from coverage possible for the political subdivisions in their states. The optional exclusions are:

- (1) Any service of an emergency nature
- (2) All service in any class or classes of elective positions, part time positions, or positions the compensation for which is on a fee basis
- (3) Agricultural labor, or
- (4) Service performed by a student if such work would be excluded if performed for a private employer.

Optional exclusions are desirable for political subdivisions because the smaller subdivisions employ many temporary and emergency employees. Many towns do not have any full time employees so that to have to report the wages, secure the social security account number, make the required deduction and supply a W-2 withholding form to each temporary and emergency employee constitutes a serious clerical problem for the person preparing the reports, who is himself doing the work on a part-time basis.

More important is the fact that such temporary and emergency employees receive so little in wages that they do not get any practical benefit from being reported for OASI purposes. A wage earner must be paid at least \$50.00 in wages in a calendar quarter in order to earn a quarter of coverage for Social Security purposes. Eligibility for OASI benefits depends on each wage earner having a certain number of quarters of

coverage to his credit when he is 65 or dies so if a temporary employee does not earn enough from a political subdivision to obtain a quarter of coverage the reporting of such wages gives him little personal benefit. A particular problem are forest fire fighters who are classified as emergency employees. A town under the present law is required to report all such emergency employees every time there is a forest fire. Some of these fire fighters earn as little as ninety cents a quarter yet under the law they must be reported for the quarter in which they are paid, regardless of the amount of payment. Not only does the reporting official have to report this pittance but he must secure each fire fighter's social security account number, make the 2% deduction and furnish the individual with a W-2 form at the end of the year.

The exercise of optional exclusion, if adopted by the General Court, will apply only to those political subdivisions enrolling in the program subsequent to such amendment and will not apply to the 126 political subdivisions that have already negotiated agreements with the State Agency.

#### *(4) Administrative Cost*

Chapter 234 specifies that administrative costs must be collected on a per capita basis from those political subdivisions participating in the program. It is apparent that a flat rate for each employee falls heaviest on the smaller political subdivisions least able to pay this charge because they pay less in wages and hire more part-time help than the larger towns.

The State Agency, therefore, believes it would be more equitable to base the administrative cost assessment as a percentage of the wage contributions forwarded to the State Agency by each political subdivision rather than on the present per capita basis and recommends that an amendment to that effect be made to Chapter 234 of the Laws of 1951.

Respectfully submitted,

JAMES J. BARRY, *Commissioner*  
*N. H. Department of Public Welfare*

The report was ordered printed in the Journal.

#### **Senate Message**

A message sent down from the Honorable Senate, by its Clerk, announced that:

The Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 69, An Act relating to the issue of duplicates of lost deposit books.

House Bill No. 74, An Act relating to the Gale Home for aged and destitute women.

House Bill No. 101, An Act relative to exemption from fees for seeing eye dogs.

House Joint Resolution No. 8, Joint Resolution providing funds for certain classified positions in planning and development department.

House Joint Resolution No. 9, Joint Resolution in favor of the County of Coos.

House Bill No. 6, An Act providing for exemption from payment of poll taxes for veterans of the Korean conflict.

House Bill No. 20, An Act legalizing the biennial election in the town of Newport.

House Bill No. 31, An Act relative to change in classification of highway in Alstead.

House Bill No. 50, An Act legalizing the biennial election held in the town of Newbury, November 2, 1954.

House Bill No. 79, An Act relative to the number of small claims which may be filed in small claims court.

House Bill No. 105, An Act relative to bonded indebtedness of the town of Hancock for water-works.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 75, An Act relative to the revising and codifying the Revised Laws of the State of New Hampshire.

R S A 18:1 Strike out "biennially" in third line.

R S A 48:9 Strike out "thereby," insert: there by

R S A 80:14 Line 1 Strike out "He" and insert The person assisted

R S A 161:2(ii) On page 555 in the fifth line on this page, after the words "this chapter" insert: or R S A 167.

R S A 161:2(vii) After the words "this chapter" at the end of this section, insert: or R S A 167.

R S A 167 In this chapter, wherever the words "this chapter" appear, insert: or R S A 161.

R S A 167:41 Strike out "and may fix the compensation of such persons within the limits of the annual appropriation" and insert: subject to the regulations of the state personnel commission.

R S A 588:12 In line 15 of this section insert a period after the word "chapter" and capitalize s of "such."

On motion of Mr. Faulkner of Keene, the House voted to concur in the amendments sent down from the Honorable Senate, and the bill was sent to the Secretary of State to be engrossed.

The message further announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 20, An Act relative to publicly elected officials of cities.

Senate Bill No. 22, An Act relative to estate taxes.

### **Senate Bills Read and Referred**

Senate Bill No. 20, An Act relative to publicly elected officials of cities.

Read a first and second time and referred to the Committee on Judiciary.

Senate Bill No. 22, An Act relative to estate taxes.

Read a first and second time and referred to the Committee on Ways and Means.

### **Resolutions**

Mr. Pillsbury of Manchester offered the following resolution:

*Resolved*, That the sessions for the House of Representatives for the week during which town meetings occur shall be held on Wednesday, Thursday and Friday, namely, March 9, 10 and 11, 1955.

On a *viva voce* vote the resolution was adopted.

Mr. Sawyer of Woodstock offered the following resolution:

*Whereas* Willis J. Horner, father of Ida M. Horner, former Representative from Thornton, recently passed away,



*Therefore be it Resolved*, That we, the Members of the House of Representatives extend our sympathy to our former fellow member in her bereavement,

*And be it Further Resolved*, That the Clerk of the House transmit to former Representative Horner a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

### **Resolution**

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and that when the House adjourns today it be to meet Thursday at 11:00 o'clock.

### **Third Reading**

House Bill No. 10, An Act relative to the designation of bargaining agencies for employees.

House Bill No. 98, An Act providing for a constitutional convention.

House Bill No. 123, An Act relative to the establishment of fishing regulations.

House Bill No. 126, An Act relative to brook trout.

House Bill No. 127, An Act relating to the execution of bonds of the state.

House Bill No. 134, An Act to provide for the perambulation of the Maine and New Hampshire boundary line.

House Bill No. 150, An Act to authorize administration of small estates upon giving bond without sureties.

House Bill No. 184, An Act relative to honorary hunting and fishing licenses.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Millar of Claremont at 12:26 o'clock the House adjourned.

THURSDAY, FEBRUARY 24, 1955.

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

Almighty God our Father, help us to realize that we are Thy children, and that Thy care for us and, interest in us, is that a parent. Grant that we may do nothing that will bring discredit on this family life, or smear the name of our Divine Father; and keep us ever mindful of the fact that since this parenthood creates a brotherhood, we are bound together by family ties and obligations, and that in a real sense we are "our brother's keeper." His burdens become a part of our load along the pathway of life, his sorrows sadden our hearts, his hopes and joys add to the worthwhileness of life for us, and his vision of the wholeness of life — here and hereafter, gives us a larger vision to the real meaning of life. Keep us ever faithful and obedient children, our Father. We ask it in the name of Jesus Christ our Lord. Amen.

### Salute to the Flag

Mr. Brown of Marlow led the convention in the salute to the flag.

### Leaves of Absence

Mrs. Ayer of Pittsfield was granted leave of absence for the week on account of illness.

Mr. Bouchard of Berlin was granted leave of absence for the day on account of death in the family.

Mr. Clarke of Derry was granted an indefinite leave of absence on account of illness.

### Introduction of Bills

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Kearns of Manchester and Mr. Pillsbury of Manchester, House Bill No. 354, An act providing for released time from school attendance for religious education. To the Committee on Education.

By Committee on Rules (Faulkner of Keene), House Bill No. 355, An Act relating to the assessment of the expenses of

the public utilities commission against certain public utilities. To the Committee on Judiciary.

By the Committee on Rules (Faulkner of Keene), House Bill No. 356, An Act relative to tax on the sale of cigarettes and on the sale of tobacco products. To the Committee on Ways and Means.

By Mr. Soucy of Manchester, Ward 1, House Bill No. 357, An Act relating to appropriations for the University of New Hampshire. To the Committee on Executive Departments and Administration.

By the Committee on Rules (Faulkner of Keene), House Bill No. 358, An Act relative to fees for business, voluntary and foreign corporations. To the Committee on Ways and Means.

By Mr. Mulaire of Hooksett and Mr. DuDevoir of Hooksett, House Bill No. 359, An Act relative to maintenance of the Hooksett village bridge in the town of Hooksett. To the Committee on Public Works.

By Mr. Bushey of Northumberland, House Bill No. 360, An Act relative to fishing in small brooks and lakes after same have been stocked. To the Committee on Fish and Game.

By Mr. Ferguson of Jefferson, House Bill No. 361, An Act relative to taxes in unincorporated places. To the Committee on Judiciary.

By Mr. Hunter of Hampton, House Bill No. 362, An Act relative to preservation of Boars Head. To the Committee on Public Works.

By Mr. Sleeper of Haverhill, House Bill No. 363, An Act relative to pedestrians and to dimming lights on motor vehicles. To the Committee on Transportation.

By Mr. Bennett of Keene, House Bill No. 364, An Act relating to cropping dogs' ears. To the Committee on Public Health.

By Mr. Converse of Pittsburg, House Bill No. 365, An Act relative to taxation in Pittsburg and Clarksville. To the Committee on Judiciary.

By Mr. Pillsbury of Manchester, House Bill No. 366, An Act providing for special fund for certain printing by planning and development commission. To the Committee on Appropriations.

By Mrs. Brungot of Berlin and Mr. Potter of Milan, House Bill No. 367, An Act to change classification of a road in the town of Milan. To the Committee on Public Works.

By Mr. Bell of Plymouth, House Bill No. 368, An Act extending the powers of the Plymouth Village Fire District. To the Committee on Municipal and County Government.

By Mr. Cormier of Somersworth, House Bill No. 369, An Act to establish the rights and qualifications of non-resident real estate owners to vote. To the Committee on Judiciary.

By Mr. Sherwin of Rindge, House Bill No. 370, An Act relative to trespass and theft of forest growth. To the Committee on Executive Departments and Administration.

By Mr. Cormier of Somersworth, House Joint Resolution No. 32, Joint Resolution in favor of Alex E. Demers. To the Committee on Appropriations.

### Order Vacated

Mr. Angus of Claremont moved that the order whereby House Bill No. 314, An Act to provide for the installation of windshields and tops on track motor cars operated by railroads, referred to the Committee on Transportation, be amended so that it be referred to a joint committee consisting of the Committees on Transportation and Labor.

On a *viva voce* vote the motion prevailed.

### Order Vacated

On motion of Mr. Carr of Orford the order whereby House Bill No. 343, An Act relative to state employees group life insurance, and House Bill No. 344, An Act authorizing purchase of group term life insurance covering state employees, both referred to the Committee on Insurance, was vacated and the bills were referred to the Committee on Labor.

### Report of Committee on Engrossed Bills

Mrs. Hundley of Portsmouth, for the Committee on En-

grossed Bills, reported that they had examined and found correctly engrossed the following entitled house bills and house joint resolutions:

House Bill No. 6, An Act providing for exemption from payment of poll taxes for veterans of the Korean conflict.

House Bill No. 20, An Act legalizing the biennial election in the town of Newport.

House Bill No. 31, An Act relative to change in classification of highway in Alstead.

House Bill No. 50, An Act legalizing the biennial election held in the town of Newbury, November 2, 1954.

House Bill No. 69, An Act relating to the issue of duplicates of lost deposit books.

House Bill No. 74, An Act relating to the Gale Home for Aged and Destitute Women.

House Bill No. 79, An Act relative to the number of small claims which may be filed in small claims court.

House Bill No. 101, An Act relative to exemption from fees for seeing eye dogs.

House Bill No. 105, An Act relative to bonded indebtedness of the town of Hancock for water-works.

House Joint Resolution No. 8, Joint Resolution providing funds for certain classified positions in planning and development department.

House Joint Resolution No. 9, Joint Resolution in favor of the county of Coos.

House Joint Resolution No. 15, Joint Resolution in favor of the estate of John S. Ball.

The report was accepted.

### Committee Reports

The Committee on Appropriations, to whom was referred Senate Joint Resolution No. 1, Joint Resolution in favor of Merle Pitman, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by inserting after the word "Chatham" in the fourth line the words, This sum shall be in full and complete settlement of this charge, so that said joint resolution as amended shall read as follows: That the sum of two hundred and fifty dollars is hereby appropriated to reim-



burse Merle Pitman of Chatham for property damages which he sustained when his cows were attacked by a moose on September 14, 1954, at Chatham. This sum shall be in full and complete settlement of this claim. The sum hereby appropriated shall be a charge on the fish and game funds.

The report was accepted, the amendment adopted and the joint resolution ordered to a third reading.

Mr. Cole of Lebanon, for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 3, Joint Resolution relative to a study of old age and survivors' insurance for state employees, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Rowell of Newport, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 21, Joint Resolution relative to the estate of Eugene Hill, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Chandler of Bartlett, for the Committee on Insurance, to whom was referred House Bill No. 77, An Act relative to destruction of old insurance records, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bloomfield of Claremont, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 157, An Act relative to the military rank of the adjutant general, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bloomfield of Claremont, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 165, An Act relating to the non-military use of state

armories, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Charitable Purposes.* Amend section 105 of chapter 143 of the Revised Laws (section 102, chapter 110, R S A) by striking out the word "public" in the third line, and the phrase "not sectarian or fraternal" in the fourth line of said section, so that said section, as amended, shall read as follows: 105. *Use for Public Meetings, etc.* When such use will not interfere with the use by military and veteran organizations, armories may be used for conventions, meetings, exhibitions, expositions, and charitable purposes, under such regulations as may be promulgated by the adjutant-general with the approval of the governor and council.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Deans of Milford, for the Committee on Municipal and County Government, to whom was referred House Bill No. 185, An Act relating to officers of the state committees of political parties, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Deans of Milford, for the Committee on Municipal and County Government, to whom was referred Senate Bill No. 9, An Act relative to discharge or removal of employees of public libraries, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 93, An Act relative to classification of a certain road in the town of Stratford, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by inserting after section 1 the following new section:

2. *Regulation of Travel.* The commissioner of public works and highways is hereby directed to regulate all travel over said highway and bridge in accordance with section 18 of part 10 of the highway law of 1945, as inserted by chapter 188 of the Laws of 1945, and is further directed that when in his opinion the bridge becomes unsafe for public travel no funds shall be expended by him on the structure but that it shall be closed to public travel.

Further amend the bill by renumbering section 2 to read section 3.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 173, An Act relative to donations for highway purposes, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred House Bill No. 89, An Act relative to manner of driving motor vehicles, hand signals, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### Recommended

On motion of Mr. Bishop of Gorham, House Bill No. 87, An Act relative to motor vehicle inspection stations, was recommended to the Committee on Transportation.

### Resolution

Mrs. Brungot and Mrs. Christiansen of Berlin offered the following resolution:

*Whereas*, Mrs. Mary Bouchard, mother of Arthur A. Bouchard, Representative from Berlin, has passed away, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the New Hampshire Legislature, extend our deepest sympathy to our fellow member in his bereavement, And be it further

*Resolved*, That the Clerk of the House transmit to Representative Bouchard a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

### **Resolution**

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title, and joint resolutions, by caption only, and that when the House adjourns today it be to meet Friday at 11:00 o'clock.

### **Third Readings**

House Bill No. 77, An Act relative to destruction of old insurance records.

House Bill No. 89, An Act relative to manner of driving motor vehicles, hand signals.

House Bill No. 93, An Act relative to classification of a certain road in the town of Stratford.

House Bill No. 157, An Act relative to the military rank of the adjutant general.

House Bill No. 165, An Act relating to the non-military use of state armories.

House Bill No. 173, An Act relative to donations for highway purposes.

House Bill No. 185, An Act relating to officers of the state committees of political parties.

House Joint Resolution No. 21, Joint Resolution relative to the estate of Eugene Hill.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 9, An Act relative to discharge or removal of employees of public libraries.

Senate Joint Resolution No. 3, Joint Resolution relative to a study of old age and survivors' insurance for state employees.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

Senate Joint Resolution No. 1, Joint Resolution in favor of Merle Pitman.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Miss Collyer of Lisbon at 12:12 o'clock the House adjourned.

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FRIDAY, FEBRUARY 25, 1955

The House met at 11.00 o'clock.

Prayer was offered by the Chaplain.

"Whatsoever things are true, whatsoever things are honorable, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report; if there be any virtue, and if there be any praise, think on these things." O God, Who through Thine Apostle hast given us these great ideals on which we should think, remind us always that we are what we think, that our nation today is what it is because men and women have had high and noble thoughts. May we be appraised of the fact that the social, the moral and political life of our land can never be higher than the thinking of its people. Give us such thoughts as shall express themselves in deeds that that will bring greater honor in political life, a more amicable social relationship, and a deeper purity of moral life among all people. We ask it in the name of Jesus Christ our Lord. Amen.

### **Salute to the Flag**

Mr. Karkavelas of Dover led the convention in the salute to the flag.

### **Leaves of Absence**

Messrs. Roberts of Conway, Merrill of Exeter, Nute of Farmington, and Anderson of Concord were granted leave of absence for the day on account of important business.

Mr. Lesmerises of Manchester was granted leave of absence for the day on account of illness.

### **Introduction of Bills**

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:



By Rules Committee (Mr. Willey of Campton), House Bill No. 371, An Act relative to borrowing by the Campton Village Precinct. To the Committee on Executive Departments and Administration.

By Rules Committee (Mr. Willey of Campton), House Bill No. 372, An Act relative to special motor vehicle number plates for members of the General Court and certain law enforcement officers. To the Committee on Executive Departments and Administration.

By Rules Committee (Mr. Faulkner of Keene), House Bill No. 373, An Act relative to taxation of certain personal property. To the Committee on Ways and Means.

By Rules Committee (Mr. Faulkner of Keene), House Bill No. 374, An Act establishing a division of appraisals within the department of the tax commission. To the Committee on Judiciary.

### Printing Dispensed With

On motion of Mr. Willey of Campton the rules of the House were suspended to dispense with the printing of House Bill No. 371, An Act relative to borrowing by the Campton Village Precinct.

### Committee Reports

Mr. Hodgdon of Tuftonboro, for the Committee on Appropriations, to whom was referred House Bill No. 130, An Act relating to the Sandwich Notch and Dale Road in the towns of Sandwich and Thornton, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bell of Plymouth, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 1, Joint Resolution in favor of Harry J. Ring, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Rowell of Newport, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 3, Joint Resolution in favor of Richard W. Detscher, having considered the same, reported the same with the following resolution :

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 202, An Act relative to forfeiture of devices used for illegal night hunting, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 218, An Act relative to the posting of land, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wadleigh of Milford, for the Committee on Judiciary, to whom was referred House Bill No. 88, An Act relative to penalty for failure to surrender motor vehicle license, registration or number plate upon demand, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Frizzell of Charlestown, for the Committee on Judiciary, to whom was referred House Bill No. 132, An Act relative to rights of members of the Communist party in this state, having considered the same, reported the same with the following resolution :

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Moher of Dover, for the Committee on Judiciary, to whom was referred House Bill No. 148, An Act to authorize

summary procedure for judgment in actions of contract to which there is no defense, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 114, An Act relative to games of beano, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Gamsby of Sunapee moved that the bill be recommit-  
ted to the Committee on Municipal and County Government.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. Gamsby of Sunapee and Perley of Lebanon spoke in favor of the motion.

On a *viva voce* vote the motion to recommit prevailed.

Mr. Carignan of Rochester, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 193, An Act relative to the care and custody of female convicts, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Carignan of Rochester, for the Committee on Public Welfare and State Institutions, to whom was referred House Joint Resolution No. 19, Joint Resolution relative to a study of the problems connected with aged persons, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

### **Taken from the Table Under Rule 48**

House Bill No. 175, An Act to prevent the interruption of municipal services and to continue good relations existing between the New Hampshire municipalities and their employees, was taken from the table.

Question being on the amendment, offered by the Committee on Municipal and County Government, found on pages 11 and 12 of the Journal of February 23.

Mr. Perley of Lebanon moved that the bill with amendment pending be recommitted to the Committee on Municipal and County Government.

On a *viva voce* vote the motion to recommit prevailed.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 119, An Act granting discretionary authority to probate courts in connection with bonds of trustees.

House Bill No. 153, An Act relating to attachments.

House Bill No. 92, An Act relative to the mortgage of corporate assets by authority of the board of directors.

House Bill No. 107, An Act relative to trusts for care of cemetery lots.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 73, An Act to regulate the sale and distribution of mixed fertilizers and fertilizer material in the state.

Amend the bill by striking out in line 5 of sub-section 4 of section 1 the word "brand" and inserting in place thereof the word, grade, so that said sub-section as amended shall read as follows: 4. *Registration.* (a) Each brand and grade of commercial fertilizer shall be registered before being offered for sale, sold or distributed in this state. The application shall be submitted to the commissioner on forms furnished by the commissioner and shall be accompanied by a fee, per grade as follows: ten dollars for the phosphoric acid, ten dollars for the nitrogen, ten dollars for the potash, and ten dollars for the magnesium oxide, or other plant food elements, compounds or classes of compounds; contained or claimed to be in the said brand of fertilizer; but the fee for any brand shall

not exceed twenty-five dollars. All registrations expire on or before January 1, annually. The application shall include the following information in the following order: (1) The name and address of the person guaranteeing the fertilizer. (2) The brand and grade. (3) The guaranteed analysis showing the minimum percentage of plant food claimed in the following order and form: Total nitrogen . . . ., per cent; available phosphoric acid . . . . per cent; soluble potash . . . . per cent. Unacidulated mineral phosphoric materials and basic slag shall be guaranteed as to both total and available phosphoric acid, and the degree of fineness. In the case of bone, tankage, and other natural organic phosphate materials, only the total phosphoric acid, need be guaranteed. Additional plant food elements, determinable by chemical methods, may be guaranteed only by permission of the commissioner by and with the advice of the director of the agriculture experiment station. When any such additional plant foods are claimed, they shall be included in the guarantee, and shall be subject to inspection and analysis in accordance with the methods and regulations that may be prescribed by commissioner.

(b) A distributor shall not be required to register any brand of commercial fertilizer which is already registered hereunder by another person.

(c) The plant food content of each and every brand of commercial fertilizer must remain uniform for the period of registration.

Further amend section 1 by inserting at the end of subsection 21, the following sentence: Nor shall anything herein be construed to prevent the use by a fertilizer manufacturer of more than the nitrogen, available phosphoric acid and potash to indicate the grade or label of his product, so that subsection as amended shall read as follows: 21. *Exchanges between Manufacturers*. Nothing herein shall be construed to restrict or avoid sales or exchanges of commercial fertilizers to each other by importers, manufacturers, or manipulators who mix fertilizer materials for sale or as preventing the free and unrestricted shipments of commercial fertilizers to manufacturers or manipulators who have registered their brands as required by the provisions hereof. Nor shall anything herein be construed to prevent the use by a fertilizer manufacturer of



more than nitrogen, available phosphoric acid and potash to indicate the grade or label of his product.

Miss Spollett of Hampstead moved that the House non-concur in the Senate amendments and asked for a Committee of Conference.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Miss Spollett of Hampstead, Mr. Clement of Landaff and Mr. Cornelius of Lancaster.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 27, An Act relating to investment of trust funds by the First Unitarian Congregational Society of Nashua.

### **Senate Bill Read and Referred**

Senate Bill No. 27, An Act relating to investment of trust funds by the First Unitarian Congregational Society of Nashua.

Read a first and second time and referred to the Committee on Judiciary.

### **Resolutions**

Mr. Barka of Derry offered the following resolution:

*Whereas*, We have learned of the illness of our fellow member, Charles H. Gay of Derry, now therefore be it

*Resolved*, That we, the members of the House of Representatives, express our deepest sympathy and sincerely hope for his speedy recovery, and be it further

*Resolved*, That the Clerk be instructed to transmit to Mr. Gay a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Barka of Derry offered the following resolution:

*Whereas*, We have learned of the illness of our fellow member, Harry E. Clarke of Derry, now therefore be it

*Resolved*, That we, the members of the House of Representatives, express our sincere sympathy and the hope for his speedy recovery, and be it further

*Resolved*, That the Clerk be instructed to transmit a copy of these resolutions to Mr. Clarke.

On a *viva voce* vote the resolution was adopted.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title, and joint resolutions, by caption only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 88, An Act relative to penalty for failure to surrender motor vehicle license, registration or number plate upon demand.

House Bill No. 130, An Act relating to the Sandwich Notch and Dale road in the towns of Sandwich and Thornton.

House Bill No. 148, An Act to authorize summary procedure for judgment in actions of contract to which there is no defense.

House Bill No. 193, An Act relative to the care and custody of female convicts.

House Bill No. 202, An Act relative to forfeiture of devices used for illegal night hunting.

House Bill No. 218, An Act relative to the posting of land.

House Joint Resolution No. 1, Joint Resolution in favor of Harry J. Ring.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Martin of Littleton at 12:09 o'clock the House adjourned.

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TUESDAY, MARCH 1, 1955

The House met according to adjournment.

Prayer was offered by the Chaplain.

Most gracious God, we give Thee hearty thanks for this good land in which our heritage is cast; for the freedom that is ours and for a people set at liberty. Realizing, as we do, that Thou didst create man to be free and didst put upon him the great responsibility of that freedom, help us, our God, to use rightly this unalienable gift. May we ever remember that our liberty is bounded by the rights of others, and that when we

go beyond that, it becomes license. Let us not forget that there are two types of freedom — the false that leads us to do whatever we like regardless of the welfare of others; the true that makes us free to do what we ought, and for the good of mankind.

“Thy love divine hath led us in the past,  
In this free land by Thee our lot is cast;  
Be Thou our Ruler, guardian, guide and stay,  
Thy word our law, Thy paths our chosen way.”

Amen.

### Salute to the Flag

Mr. Payeur of Pembroke led the convention in the salute to the flag.

### Leaves of Absence

Mr. Anderson of Concord was granted leave of absence for Tuesday and Wednesday on account of important business.

Mrs. Ayer of Pittsfield was granted leave of absence for the week on account of illness.

Mr. Clement of Landaff was granted leave of absence for the day on account of important business.

Mr. Gay of Derry was granted leave of absence for the week on account of illness.

Mr. Gay of New London was granted leave of absence for the day on account of illness.

Mr. Haigh of Salem was granted leave of absence for the day on account of important business.

Mr. Moher of Dover was granted leave of absence for Tuesday and Wednesday on account of important business.

Mr. Sleeper of Haverhill was granted leave of absence for the week on account of illness.

Mr. Sweeney of Keene was granted leave of absence for the day on account of important business.

Mr. Urie of New Hampton was granted leave of absence for the day on account of illness.

Mr. Weeks of Wolfeboro was granted leave of absence for the day on account of important business.

Mr. Willis of Salem was granted leave of absence for the day on account of important business.

### Introduction of Bills

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Geisel of Manchester, House Bill No. 375, An Act establishing a state revenue-raising pool. To the Joint Committees on Ways and Means and Education.

By Mr. Latour of Hudson, House Bill No. 376, An Act increasing racing funds for state aid to education. To the Joint Committees on Ways and Means and Education.

By Mr. Latour of Hudson, House Bill No. 377, An Act relative to taxes and fees for insurance companies. To the Committee on Ways and Means.

By Mr. Angus of Claremont, House Bill No. 378, An Act authorizing the licensing of greyhound racing on which the pari mutuel system of wagering shall be permitted. To the Committee on Ways and Means.

By Mr. Black of Bennington, House Bill No. 379, An Act relative to service exemption for veterans. To the Committee on Military and Veterans' Affairs.

By Mrs. Atkins of Hanover, House Bill No. 380, An Act providing for liens in favor of hospitals. To the Committee on Judiciary.

By Mrs. St. Pierre of Rochester, House Bill No. 381, An Act providing for the establishment of salaries of the sheriffs of the several counties by the superior court. To the Committee on Judiciary.

By Mrs. Atwood of Sanbornton, House Bill No. 382, An Act relative to cooperative school districts. To the Committee on Education.

By Mr. Nute of Farmington, House Bill No. 383, An Act relative to the distribution of property to legatees, distributees or beneficiaries outside the United States. To the Committee on Judiciary.

By Mr. Clement and Mr. Nadeau of Rochester, House Bill No. 384. An Act relative to election of certain officers of the city of Rochester. To the Special Committee consisting of the Delegation from the City of Rochester.

By Mr. Rowell of Newport, House Bill No. 385, An Act relative to the disposition of fines. To the Committee on Executive Departments and Administration.

By Mrs. DeLude of Unity, House Joint Resolution No. 33, Joint Resolution in favor of Harry Pierce. To the Committee on Appropriations.

By Mr. Jones of Lebanon, House Joint Resolution No. 34, Joint Resolution to provide for an investigation of the laws relating to tax exemption of real estate and personal property and to ascertain the total value of property, in New Hampshire so exempted. To the Committee on Judiciary.

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate and House bills, and Senate joint resolutions:

Senate Bill No. 9, An Act relative to discharge or removal of employees of public libraries.

House Bill No. 46, An Act changing classification of the so-called King's Highway.

House Bill No. 92, An Act relative to the mortgage of corporate assets by authority of the board of directors.

House Bill No. 107, An Act relative to trusts for care of cemetery lots.

House Bill No. 119, An Act granting discretionary authority to probate courts in connection with bonds of trustees.

House Bill No. 153, An Act relating to attachments.

House Bill No. 72, An Act relative to the charter of the Trustees of the Protestant Episcopal Church in New Hampshire.

House Bill No. 133, An Act to increase the amount of property permitted to be held by the New Hampshire Conference Preachers' Aid Society of the Methodist Church.

Senate Joint Resolution No. 1, Joint Resolution in favor of Merle Pitman.

Senate Joint Resolution No. 3, Joint Resolution relative to a study of old age and survivors' insurance for state employees.



House Bill No. 75, An Act to revise and codify the Revised Laws of the State of New Hampshire.

The report was accepted.

### Committee Reports

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 104, An Act relative to the prohibition of rifles while hunting raccoon at night, having considered the same, reported the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 182, An Act relative to the use of rifles in shotgun towns, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Haley of Keene, for the Committee on Labor, to whom was referred House Bill No. 232, An Act relative to compensation of appeal tribunal and advisory council members under the unemployment compensation law, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 154, An Act relating to the return of writs in the superior court, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being, Shall the bill be read a third time.

(Discussion ensued)

Messrs. Perley of Lebanon and Rainie of Concord spoke in favor of the question.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 199, An Act relative to competitive bidding for county purchases, having considered the same, reported the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bishop of Gorham, for the Committee on Transportation, to whom was referred House Bill No. 87, An Act relative to motor vehicle inspection stations, having considered the same, reported the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Plumer of Bristol, for the Committee on Ways and Means, to whom was referred House Bill No. 124, An Act increasing the fee for registration of trade names and partnerships, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Crandall of Dover, for the Special Committee consisting of the members from the city of Dover, to whom was referred House Bill No. 14, An Act requiring a new registration of voters in the city of Dover, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of the bill by striking out in the third line the word "ten" and inserting in place thereof the word, sixteen; further amend by striking out in the fourth line the figure "11" and inserting in place thereof the figure, 18, so that said section as amended shall read as follows:

2. *Session for Registration.* The board of supervisors of voters for the city of Dover shall be in session for the purpose of preparing new lists of voters for sixteen sessions during the period from June 1, 1955, to June 18, 1955, inclusive. Said sessions shall be held in the morning, afternoon and evening, the time and place of said meetings shall be advertised in a news-

paper published in Dover for at least three days prior to the first meeting and thence for at least seven days during the period that the meetings are held.

Amend section 3 of the bill by striking out in the first six lines the following: "Any person who is shown by the check-list to have voted at the November, 1954, election shall not be required to register hereunder and the supervisors shall enter on the new check-lists for the city of Dover the names of all persons who so voted, except in a case where competent evidence shall be presented to show that said person has deceased, or has removed from the city" so that said section as amended shall read as follows:

3. *Exceptions.* The name of any legal voter of said city who is in the armed forces when the reregistration of voters is held and who had previously been registered, shall be added to the new check-list by the supervisors without the requirement for appearance before the board.

Amend the first paragraph of section 5 of the bill by striking out in the first line the word "August" and inserting in place the word, September, so that said paragraph as amended shall read as follows:

5. *Posting Check-lists.* The supervisors, not later than September 15, 1955, shall post in two public places in each ward the newly printed check-lists for that ward prepared according to this act, and public notice shall be given as to the location of the public places at which said check-lists have been posted. Before the lists are posted in each ward the supervisors shall take and subscribe before a notary public or justice of the peace the following oath, the blanks being first properly filled, which oath shall be upon each posted list, to wit:

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Messrs. Crandall and Flanagan of Dover spoke in favor of the amendment.

Mr. Felker of Dover spoke against the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Ashley of Lebanon, for the Committee on Ways and

Means, to whom was referred House Bill No. 155, An Act relating to the taxation of legacies and successions, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Pillsbury of Manchester moved that the bill be re-committed.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. Pillsbury of Manchester and Pickett of Keene spoke in favor of the motion.

Mr. Rainie of Concord spoke against the motion.

Mr. Pillsbury of Manchester withdrew his motion to re-commit.

The question being on the resolution of the committee, that it is inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

### **Personal Privilege**

Mr. Pillsbury of Manchester rose to a point of personal privilege and stated that he was not speaking as majority floor leader, on House Bill No. 155.

### **Rules Suspended**

On motion of Mr. Rainie of Concord, the rules were so far suspended as to allow the presentation of a committee report not previously advertised, and suspension of Rule 47, relative to two days' notice for a public hearing.

### **Committee Report**

Mrs. Payette of Portsmouth, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 371, An Act relative to borrowing by the Camp-ton Village Precinct, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out section 2 and inserting in place thereof the following: 2. *Payments.* Payments on the

principal of the debt authorized by this act shall not begin until 1965.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

### **Order Vacated**

Mr. Pickett of Keene moved that the rules be suspended to dispense with the printing and reference to committee of House Bill No. 372, An Act relative to special motor vehicle number plates for members of the General Court and certain law enforcement officers, and that the bill be put upon its third reading and final passage, by title only, at the present time.

On a *viva voce* vote the motion prevailed.

### **Third Reading**

House Bill No. 372, An Act relative to special motor vehicle number plates for members of the general court and certain law enforcement officers, was then read a third time and passed, and sent to the Senate for concurrence.

### **Order Vacated**

Mr. Scamman of Stratham moved that the order whereby House Bill No. 232, An Act relative to compensation of appeal tribunal and advisory council members under the unemployment compensation law, was referred to the Committee on Appropriations be vacated, and the bill be ordered to a third reading.

On a *viva voce* vote the motion prevailed.

### **Senate Message**

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 46, An Act changing classification of the so-called King's Highway.

House Bill No. 72, An Act relative to the charter of the Trustees of the Protestant Episcopal Church in New Hampshire.



House Bill No. 133, An Act to increase the amount of property permitted to be held by the New Hampshire Conference Preachers' Aid Society of the Methodist Church.

The message also announced that the Senate had voted to concur with the House of Representatives in its amendments to the following joint resolution:

Senate Joint Resolution No. 1, Joint Resolution in favor of Merle Pitman.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 152, An Act providing for advance sheets of session laws.

Amend the bill by inserting after the word "charge" in line 12 the following sentence, The Senate shall receive two such sets and the House of Representatives three such sets, so that said section as amended shall read as follows: 1. *Session Laws.* Amend chapter 10 of the Revised Laws (chapter 20, R S A) by inserting after section 2 the following new section: 2-a. *Advance Sheets, Printing and Distribution.* During each regular legislative session the secretary of state shall provide for the printing and distribution of advance sheets of all public and private acts and resolves, together with an index thereof, of such session. Such advance sheets shall be available for sale to attorneys at law and the public, as the legislation is enacted. The secretary of state shall carry out the provisions of this section under a plan approved by the Judicial Council, and said plan shall fix the price to be charged by the secretary of state. It is further provided that each justice of the supreme, superior, probate and municipal courts shall be furnished a set of the advance sheets without charge. The Senate shall receive two such sets and the House of Representatives three such sets. The state library shall also be furnished a set for its own use and upon request sufficient sets to exchange with other states.

On motion of Mr. Holden of Hanover, the House voted to concur in the Senate amendments, and the bill was sent to the Secretary of State to be engrossed.

### Resolution

Mr. Boutin of Belmont, offered the following resolution:

*Whereas*, Clarence Dearborn of Belmont, a former member of the House, has passed away after a long illness, and

*Whereas*, he held many elective offices in the Town of Belmont, therefore be it

*Resolved*, That we, the members of the House of Representatives of the New Hampshire Legislature, pay tribute to our former member for his many services to his town and state, and express our sympathy to his family in its bereavement, and be it further

*Resolved*, That the Clerk of the House transmit a copy of these resolutions to Mr. Dearborn's wife, Mrs. Clarence Dearborn of Belmont.

On a *viva voce* vote the resolution was adopted.

### Resolution

On motion of Mr. Wadleigh of Milford, the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 14, An Act requiring a new registration of voters in the city of Dover.

House Bill No. 124, An Act increasing the fee for registration of trade names and partnerships.

House Bill No. 154, An Act relating to the return of writs in the superior court.

House Bill No. 182, An Act relative to the use of rifles in shotgun towns.

House Bill No. 232, An Act relative to compensation of appeal tribunal and advisory council members under the unemployment compensation law.

House Bill No. 371, An Act relative to borrowing by the Campton Village Precinct.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Phelan of Stark at 12:37 o'clock the House adjourned.

WEDNESDAY, MARCH 2, 1955

The House met at 11:00 o'clock.

Prayer was offered by guest Chaplain, the Rev. William Parker Neal, Rector of St. James' Episcopal Church, Laconia:

In the Name of the Father, and of the Son, and of the Holy Ghost. Amen.

Most Holy and Glorious Lord God, the fountain of all wisdom and strength, Whose statutes are good and gracious and Whose law is truth; guide we beseech Thee the members of this legislature in all of their deliberations that they may obtain for our governance only such things as please Thee.

Endue the leaders of our State with an adventurous spirit that will help them to scorn the way of safety in order that Thy will may be done. Take from them all contempt of Thy Word and Commandments. Break down all the barriers of selfishness and ignorance which cause strife between men and which keep them from a knowledge of Thee. Give them the will to show forth their thankfulness by an humble, holy and obedient walking before Thee all the days of this life, through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mrs. Nutter of Epsom led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Lafond of Manchester and Malley of Somersworth were granted leave of absence for the day on account of important business.

Mr. Gay of New London was granted leave of absence for the day on account of illness.

### Introduction of Bills

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Lane of Swanzey, House Bill No. 386, An Act relative to forms for collection of bounties. To the Committee on Executive Departments and Administration.

By Mr. Mulaire of Hooksett, House Bill No. 387, An Act relative to the bag limit for horned pout. To the Committee on Fish and Game.

By Mr. Aho of New Ipswich, House Bill No. 388, An Act prohibiting hunting on Sunday. To the Committee on Fish and Game.

By Mr. Mahony of Manchester, House Bill No. 389, An Act relative to employment of minors under liquor and beverage laws. To the Committee on Liquor Laws.

By Mr. Skinner of Alton, House Bill No. 390, An Act establishing the office of public defender. To the Committee on Judiciary.

By Mr. Faulkner of Keene, House Bill No. 391, An Act relative to liens on real estate for payment of certain taxes. To the Committee on Judiciary.

By Mr. Burnham of Alstead, House Bill No. 392, An Act relative to appointment of fish and game director. To the Committee on Fish and Game.

By Mr. Maloomian of Somersworth, House Bill No. 393, An Act relative to compulsory motor vehicle liability insurance. To the Joint Committees on Transportation and Insurance.

By Mr. Craig of Manchester, House Joint Resolution No. 35, Joint Resolution in favor of the Y. D. Convention. To the Committee on Military and Veterans' Affairs.

By Mr. Scamman of Stratham, House Joint Resolution No. 36, Joint Resolution relative to a state-wide referendum on the question of taxes. To the Committee on Judiciary.

### Committee Reports

Mr. Bloomfield of Claremont, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 156, An Act to provide coverage for certain civilian employees of the national guard under the old age and survivors insurance provision of Title II of the Federal social security act, as amended, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Bloomfield of Claremont, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 342, An Act relative to the pay of the national guard, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mrs. Dondero of Portsmouth, for the Committee on Judiciary, to whom was referred Senate Bill No. 20, An Act relative to publicly elected officials of cities, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Griffin of Auburn, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 82, An Act relative to qualifications for registration as legislative counsel, having considered the same, reported the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Gardner of Littleton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 129, An Act relative to the payment of poll taxes, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Willey of Campton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 222, An Act relative to the manner of conducting elections, having considered the same, reported the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.



### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 55, An Act providing for the classification of Salmon brook and its watershed.

House Bill No. 57, An Act providing for the classification of Pennichuck brook and its watershed.

House Bill No. 60, An Act relative to migratory game birds.

House Bill No. 85, An Act relative to hunting and fishing licenses.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 73, An Act to regulate the sale and distribution of mixed fertilizers and fertilizer material in the state.

The President appointed as members of such committee on the part of the Senate, Senators O'Brien and Ainsworth.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

House Joint Resolution No. 16, Joint Resolution relative to special fishing licenses for certain students from foreign countries.

Amend the resolution by striking out all after the resolving clause and substituting in place thereof, the following:

That the department of fish and game be and hereby is authorized and directed to issue to such so-called foreign exchange students who are living and studying in New Hampshire as may apply to the Director therefor, which will entitle the license to kill, take and transport fish and salt water smelt under the restrictions of Title XX of the Revised Laws. Said special licenses shall be issued only for the calendar years 1955-1956.

On motion of Mr. Willey of Campton, the House voted to concur in the Senate amendment and the bill was sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 28, An Act relative to building and loan association.

Senate Bill No. 55, An Act naming the Henri A. Burque drive.

### **Senate Bills Read and Referred**

Senate Bill No. 28, An Act relative to building and loan association.

Read a first and second time and referred to the Committee on Banks.

Senate Bill No. 55, An Act naming the Henri A. Burque drive.

Read a first and second time and referred to a Special Committee consisting of the Delegation from the city of Nashua.

### **Resolution**

Mrs. Hundley of Portsmouth offered the following resolution.

*Resolved*, That the Justices of the Supreme Court be respectfully requested to give their opinion upon the following question of law: May the Legislature constitutionally impose a tax upon the sale of cigarettes at the rate of twenty per cent (20%) of their value, while imposing a tax upon the sale of other tobacco products, including cigars, at the rate of fifteen per cent (15%) of the value of the same, as proposed in House Bill No. 356, An Act relative to tax on the sale of cigarettes and on the sale of tobacco products; and be it further

*Resolved*, That the Speaker transmit a copy of House Bill No. 356 to the Clerk of the Supreme Court for consideration by said Court.

On a *viva voce* vote the resolution was adopted.

### **Resolution**

On motion of Mr. Wadleigh of Milford, the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### **Third Readings**

House Bill No. 129, An Act relative to the payment of poll taxes.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 20, An Act relative to publicly elected officials of cities.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Sadler of Portsmouth at 11:55 o'clock the House adjourned.

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THURSDAY, MARCH 3, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God the strength of all those who put their trust in Thee; bless we pray Thee our soldiers and sailors, our airmen and nurses, and all enlisted in the service of our country, particularly those who have gone forth from the homes of the members of this General Court. Give them Thy Divine protection, shield them from all temptation, and finally bring them safely home. Above all may they be kept in such faith and trust in Thee that they shall have devotion to the high tasks confronting them, be an honor and credit to their country and to Thy Holy Name. Amen.

### Salute to the Flag

Mr. Skinner of Alton led the Convention in the salute to the flag.

### Leave of Absence

Mr. Rogers of Laconia was granted leave of absence for the day on account of important business.

### Introduction of Bills

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Geisel of Manchester, House Bill No. 394, An Act relative to annual reports by small loan licensees. To the Committee on Banks.

By Mr. Murch of Portsmouth, House Bill No. 395, An Act relative to carrying concealed pistols or revolvers. To the Committee on Executive Departments and Administration.

By Mr. Brown of Loudon, House Bill No. 396, An Act relative to the use of flashing red lights or red beacons on motor vehicles. To the Committee on Transportation.

By Mr. Kearns of Manchester, House Bill No. 397, An Act to establish a comfort station at North Beach in Hampton. To the Committee on Resources, Recreation and Development.

By Mrs. Brungot and Mr. Fortier of Berlin, House Bill No. 398, An Act relative to civil defense. To the Committee on Judiciary.

By Mr. Lang of Manchester, House Bill No. 399, An Act relative to the construction and inspection of public buildings. To the Committee on Public Works.

By Mr. Locke of New Boston, House Joint Resolution No. 37, Joint Resolution in favor of Harold A. Todd. To the Committee on Appropriations.

### Committee Reports

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred House Bill No. 194, An Act relating to real estate mortgages, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred House Bill No. 169, An Act to secure the rights of mortgagees in highway land damage cases, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out section 1 and inserting in place thereof the following: 1. *Definition.* Amend section 3, part 4, chapter 90, Revised Laws, as inserted in chapter 188, Laws of 1945, (section 3, chapter 233, R S A) by striking out said section and inserting in place thereof the following: 3. *Owners.* Owners shall include tenants for life or years, re-

maindermen, reversioners, or holders of undischarged mortgages of record whose mortgages are dated not earlier than twenty years prior to date of filing such petition.

Amend section 4 by striking out said section and inserting in place thereof the following: 4. *Further Definition*. Amend section 3, part 5, of said chapter 90 (Section 3, chapter 234, R S A) by striking out said section and inserting in place thereof the following: 4. *Owners*. Owners shall include tenants for life or years, remaindermen, reversioners, or holders of undischarged mortgages of record whose mortgages are dated not earlier than twenty years prior to date of filing such petition.

Further amend by striking out sections 3 and 5 and renumbering sections 4 and 6 to read 3 and 4.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred House Joint Resolution No. 23, Joint Resolution in favor of Augustus Glidden, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the House joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of eight hundred and seventy-one dollars is hereby appropriated to reimburse Augustus Glidden for medical and hospital expenses, and loss of wages occasioned by an accident February 1, 1953 in Alton near the railroad station while helping to change a blade on a state-owned snow plow. The Governor is authorized to draw his warrant for the sum hereby appropriated out of the highway fund and payment of said sum to said Augustus Glidden shall be in full settlement of all claims he may have against the state arising out of said accident.

The report was accepted, the amendment adopted, and the joint resolution was referred to the Committee on Appropriations under the rules.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred Senate Bill No. 18, An Act relative to the charter of St. Paul's Lodge No. 30, F. & A. M. at Alstead,



having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Rathbone of Exeter, for the Committee on Judiciary, to whom was referred House Bill No. 200, An Act relative to the powers of the board of medical examiners, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Frizzell of Charlestown, for the Committee on Judiciary, to whom was referred House Joint Resolution No. 25, Joint Resolution relative to a study of the problem of combining towns and schools districts, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted.

Mr. Pickett of Keene offered the following amendment:

Amend said resolution by striking out the word "legislative" in the first line and inserting in place thereof the word, judicial, so that said resolution as amended shall read as follows: That the judicial council is directed to study the possibilities of combining towns and school districts with the elimination of school districts. The council shall report its recommendations on this subject to the 1957 session of the legislature together with copies of proposed legislation, if any should be recommended.

The question being on the amendment.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the amendment.

Mrs. Frizzell of Charlestown spoke against the amendment.

Mr. Faulkner of Keene moved that the bill be recommitted.

On a *viva voce* vote the motion prevailed, and the bill with amendment pending was recommitted to the Committee on Judiciary.

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Joint Resolution No. 16, Joint Resolution relative to special fishing licenses for

certain students from foreign countries, having considered the same, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend said resolution by striking out the first four lines and inserting in place thereof the following:

That the department of fish and game be and hereby is authorized and directed to issue to such so-called foreign exchange students who are living and studying in New Hampshire and who may apply to the director therefor, a special fishing license, without the payment of a fee therefor, which will entitle the

The report was accepted.

On motion of Mr. Willey of Campton the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 20, An Act relative to publicly elected officials of cities, having considered the same, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first four lines and inserting in place thereof the following:

1. *City Officials.* Amend section 3 of chapter 66, Revised Laws, (section 1, chapter 48 RSA) by inserting after the word "employment" in the fifth line the words, by the city; by inserting after the word "court" in the sixth line the words, or call firemen; and by inserting after the word "law" in the twelfth line the words: The provisions of this section shall not affect the rights of cities or towns to make such consolidation of official function as may have been heretofore authorized by statute, so that said section as amended shall read as follows:

3. *Prohibition.* No publicly elected official of a city, except

The report was accepted.

On motion of Mr. Pickett of Keene the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had found correctly engrossed the following entitled House bills:

House Bill No. 55, An Act providing for the classification of Salmon brook and its watershed.

House Bill No. 57, An Act providing for the classification of Pennichuck brook and its watershed.

House Bill No. 85, An Act relative to hunting and fishing licenses.

House Bill No. 152, An Act providing for advance sheets of session laws.

House Bill No. 371, An Act relative to borrowing by the Campton Village Precinct.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 372, An Act relative to special motor vehicle number plates for members of the General Court and certain law enforcement officers.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Motor Vehicles.* Amend section 7-a of chapter 116 of the Revised Laws, as inserted by chapter 81 of the Laws of 1953, (section 10, chapter 260 RSA) by striking out the same and inserting in place thereof the following: 7-a. *Special Number Plates.* Upon payment of motor vehicle registration fee, if any, the motor vehicle commissioner may issue a special plate, to be designated by him, to be affixed to the vehicle of the governor, the members of the governor's council, president of the senate, members of the senate, speaker of the house of representatives, members of the house of representatives, the attorney general and his deputy, and vehicles of state police and motor vehicle departments. Said special plates shall be issued at no cost to the state other than those plates furnished to the governor, the members of the governor's council, president of the senate, speaker of the house of representatives, state police and motor vehicle departments.

On motion of Mr. Willey of Campton the House voted to concur in the Senate amendments, and the bill was sent to the Secretary of State to be engrossed.

House Bill No. 158, An Act relating to the commission on uniform state laws.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Commission on Uniform State Laws.* Amend section 4 of chapter 7-A of the Revised Laws, as inserted by chapter 100 of the Laws of 1947 and as inserted by section 6 of part 5 of chapter 5 of the Laws of 1950, (section 4, chapter 18 R S A) by striking out the same and inserting in place thereof the following: 4. *Appropriations.* The legislature shall annually appropriate sums sufficient for promoting and continuing the national conferences of commissioners on uniform state laws and for the purpose of paying expenses for attendance at said national conference.

On motion of Mrs. Goodwin of Hollis the House voted to concur in the Senate amendment, and the bill was sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 371, An Act relative to borrowing by the Campton Village Precinct.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 23, An Act relative to suspension or revocation of licenses of persons practicing medicine.

Senate Bill No. 46, An Act relating to writs and their endorsement.

### **Senate Bills Read and Referred**

Senate Bill No. 23, An Act relative to suspension or revocation of licenses of persons practicing medicine.

Read a first and second time and referred to the Committee on Public Health.

Senate Bill No. 46, An Act relating to writs and their endorsement.

Read a first and second time and referred to the Committee on Judiciary.

## Communication

NEW HAMPSHIRE PLANNING AND DEVELOPMENT  
COMMISSION

Concord, New Hampshire

March 2, 1955

HON. CHARLES GRIFFIN  
Speaker of the House  
State House  
Concord, New Hampshire

*Dear Mr. Griffin:*

Attached is a copy of "Recreation Property in New Hampshire 1945-1952."

Will you please call attention of the members of the House to the fact that this report is being released today and copies are available in this office.

Respectfully,

ERNEST L. SHERMAN,  
*Executive Director.*

## Resolutions

Mr. Pickett of Keene offered the following resolution:

*Whereas*, Fred H. Brown of Somersworth has passed away, and

*Whereas*, he spent a great portion of his life in the services of his state and nation, serving as Governor of New Hampshire, United States Senator and Comptroller General of the United States, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the New Hampshire Legislature, hereby pay tribute to the long and faithful services of this distinguished statesman, to his unfailing courtesy and kindness toward his fellowmen, and be it further

*Resolved*, that we extend our deepest sympathy to his widow, Mrs. Brown, in her bereavement, and be it further

*Resolved*, that the Clerk of the House transmit to her a copy of these Resolutions.

On a rising vote the resolution was unanimously adopted.



### Personal Privilege

Mr. Bradley of Hanover rose to a point of personal privilege and called the attention of the membership to the ski races to be held at the end of next week on Cannon Mountain. This will be the National Downhill, Slalom, and Giant Slalom Championships and the Olympic Tryouts in these events. He mentioned the many New Hampshire boys who qualify as among the best in the country and our foremost hopes for an Olympic medal winner, and he pointed out that it was only through the development of the Cannon Mountain tramway and trails that a ski meet of this calibre could be held in New Hampshire.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and that when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 169, An Act to secure the rights of mortgagees in highway land damage cases.

House Bill No. 194, An Act relating to real estate mortgages.

House Bill No. 200, An Act relative to the powers of the board of medical examiners.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 18, An Act relative to the charter of St. Paul's Lodge No. 30, F. & A. M., at Alstead.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Studley of Rochester at 12:00 o'clock the House adjourned.

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WEDNESDAY, MARCH 9, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Frank M. Weiskel, Minister, The Congregational Church, Amherst, New Hampshire.

Almighty God, by whose providence we are governed and by whose mercy we are upheld, grant that in the governance of ourselves we be mindful of Thy will. As the representatives of the people attempt to frame just and equal laws in this place, make them ever mindful that they also represent Thee. Forbid that any man should do only that which is expedient, but grant each one the courage to do that which is also right in Thy sight. In our disagreements remind us of the honest intent of our brethren, and reveal unto us that higher wisdom that comes from knowing Thy truth. Grant that patience and understanding, and a deep desire to serve the people, rule all our deliberations. Grant Thy grace to these men and women who have been called to serve the people of this state, and make them ever mindful of the sacrifices that have been paid for the freedom to speak the truth and the right to govern ourselves. Forbid that any of us should take lightly the privileges we have in this land and deal irresponsibly with the life and liberty Thou hast placed in our hands. Recognizing Thee as the source of all our blessings and the end of all our efforts, may we live thankfully and do our work faithfully trusting Thee for the outcome, though Jesus Christ our Lord. Amen.

### **Salute to the Flag**

Mr. Faulkner of Keene led the convention in the salute to the flag.

### **Leaves of Absence**

Mr. Spaulding of Hudson was granted leave of absence for the day on account of illness.

Mr. Burgess of Manchester was granted an indefinite leave of absence on account of illness.

Mr. Gamache of Manchester was granted a leave of absence for Wednesday and Thursday on account of important business.

### **Introduction of Bills**

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Rules Committee (Mr. Faulkner of Keene), House Bill No. 400, An Act relative to state owned parking areas at

Hampton Beach. To the Committee on Resources, Recreation and Development.

By Rules Committee (Mr. Scamman of Stratham), House Bill No. 401, An Act to change the method of appointment of members of the New Hampshire commissioners of the North-eastern Forest Fire Commission. To the Committee on Resources, Recreation and Development.

By Rules Committee (Mr. Young of Pittsfield), House Bill No. 402, An Act relating to the taxation of the proceeds of life insurance. To the Committee on Judiciary.

By Mr. Nelson of Concord, House Bill No. 403, An Act relating to the preservation of private business records and to make uniform the law with reference thereto. To the Committee on Executive Departments and Administration.

By Mr. McKee of Concord, House Bill No. 404, An Act relative to real estate investments of building and loan associations. To the Committee on Banks.

By Mr. Sweeney of Keene, House Bill No. 405, An Act extending certain aeronautical appropriations. To the Committee on Appropriations.

By Mr. Chamberlain of Holderness, House Bill No. 406, An Act providing one open season throughout the state for taking wild deer. To the Committee on Fish and Game.

By Mr. Chamberlain of Holderness, House Bill No. 407, An Act relative to open season for taking partridge. To the Committee on Fish and Game.

By Mr. Nelson of Concord, House Bill No. 408, An Act relating to duties of support and to make uniform the law with reference thereto. To the Committee on Judiciary.

By Mr. Dudley of Brentwood, House Bill No. 409, An Act relative to sanitary facilities at stations of railroad and terminal corporations. To the Committee on Transportation.

By Mr. Littlehale of Durham, House Bill No. 410, An Act relative to the licensing of trailer parks and mobilehome parks. To the Committee on Judiciary.

By Mr. Wadleigh of Milford and Mr. Tobey of Hampton, House Bill No. 411, An Act to provide for absentee voting at primaries. To the Committee on Judiciary.

By Mr. Rice of Peterborough, House Bill No. 412, An Act relative to the suppression of forest pests. To the Committee on Agriculture.

By Mr. Downs of Conway, House Bill No. 413, An Act relative to the payment of motor vehicle road tolls by counties. To the Committee on Municipal and County Government.

By Mr. Lamprey of Moultonborough, House Bill No. 414, An Act changing the spelling of the name of the town of Moultonborough to Moultonboro. To the Committee on Municipal and County Government.

By Mrs. DeLude of Unity, House Bill No. 415, An Act relative to neglect of husband or father to support wife and children and neglect of mother. To the Committee on Judiciary.

By Mr. Maxham of Concord, House Bill No. 416, An Act relative to insane persons. To the Committee on Judiciary.

By Mr. Barka of Derry, House Bill No. 417, An Act relative to the sale of horned pout for resale. To the Committee on Fish and Game.

By Mr. McKee of Concord, House Bill No. 418, An Act relative to share or share account limits of building and loan associations. To the Committee on Banks.

By Mr. Lessels of Concord, House Bill No. 419, An Act providing for so-called daylight saving time throughout the entire year. To the Committee on Judiciary.

By Mr. McKee of Concord, House Bill No. 420, An Act relative to Totten trusts. To the Committee on Judiciary.

By Mr. Horton of Lyme, House Bill No. 421, An Act providing for taxation of fraternal and non-profit insurance organizations. To the Committee on Insurance.

By Mrs. Studley of Rochester, House Bill No. 422, An Act to provide for the observance of certain legal holidays. To the Committee on Judiciary.

By Mr. McKee of Concord, House Bill No. 423, An Act relative to unsecured loans of building and loan associations. To the Committee on Banks.

By Mr. Malley of Somersworth, and Mr. Pillsbury of Manchester, House Bill No. 424, An Act creating an industrial development authority. To the Committee on Judiciary.

By Mr. Vaughan of Newport, House Joint Resolution No. 38, Joint Resolution appropriation for carrying out provisions of statute relative to reciprocal agreements for educational facilities for New Hampshire residents. To the Committee on Appropriations.

By Mr. Robertson of Gilmanton, House Joint Resolution No. 39, Joint Resolution relative to reconstruction of road in the town of Gilmanton. To the Committee on Public Works.

By Mr. Barka of Derry, House Joint Resolution No. 40, Joint Resolution in favor of the town of Derry. To the Committee on Appropriations.

By Mr. Brown of Keene, House Joint Resolution No. 41, Joint Resolution providing funds for Dutch elm disease control. To the Committee on Agriculture.

By Mr. Sweeney of Keene, House Joint Resolution No. 42, Joint Resolution making an appropriation for the purchase of aircraft. To the Committee on Aviation.

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate bill:

Senate Bill No. 20, An Act relative to publicly elected officials of cities.

The report was accepted.

### **Committee Reports**

Mr. Karagianis of Laconia, for the Committee on Ways and Means, to whom was referred House Bill No. 1, An Act providing for the assessment and collection of a special head tax for state purposes, having considered the same, reported the same with the recommendation that the bill ought to pass.



The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 1, An Act providing for the assessment and collection of a special head tax for state purposes, having considered the same, and being unable to agree with the majority, report the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

JOHN J. KEARNS,  
AMELIA LAREAU,  
ORIGENE E. LESMERISES,  
GEORGE C. NADEAU,  
DENNIS CASEY,

*A Minority of the Committee.*

The report were accepted.

Mr. Plumer of Bristol moved that the report of the majority be adopted.

Mr. Kearns of Manchester moved that the report of the minority "inexpedient to legislate" be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Kearns of Manchester spoke in favor of the motion.

Mr. Waterhouse of Windham spoke against the motion.

Mr. Malley of Somersworth moved that the bill with accompanying reports be made a special order of business for Tuesday, May 10, at 11:01 o'clock.

The question being on the motion.

(Discussion Ensued)

Messrs. Malley of Somersworth, Bradley of Hanover, Vogel of Canterbury, Waling of Keene, and Pickett of Keene and Mrs. Dondero of Portsmouth and Mrs. Atwood of Sanbornton, spoke in favor of the motion.

Mrs. Gardner of Gilford, and Messrs. Jones of Lebanon, Downs of Conway, Mafera of Raymond, Ingham of Winchester, Clement of Rochester, Mahony of Manchester, Young of Pittsfield, and Pillsbury of Manchester spoke against the motion.

Mr. Kearns of Manchester asked for a division.

A division being had, 93 members having voted in the affirmative, and 266 members having voted in the negative, the

motion to lay on the table and be made a special order for Tuesday, May 10, at 11:01 o'clock did not prevail.

The question being on the motion to substitute the minority report for that of the majority.

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the minority report for that of the majority.

Mr. Kearns of Manchester demanded the yeas and nays, but subsequently withdrew his demand.

Mr. Scamman of Stratham demanded the yeas and nays, and the roll was called with the following result:

### Yeas — 108

ROCKINGHAM COUNTY: Tenney, Fogg, Blair, Sewall, Cheney, Barrett, Dondero, Payette, Sadler.

STRAFFORD COUNTY: Moher, Desjardins, Flanagan, Nadeau, Carignan, Lacasse, Maloomian, Letourneau, Cormier, Malley.

BELKNAP COUNTY: Boutin, Morin, Simoneau, O'Shan.

CARROLL COUNTY: Remick.

MERRIMACK COUNTY: Baron, Phelps, Vogel, Colbath, Burke, Kenney, Charland, Dempsey, DuDevoir, Mulaire, Payeur, Thibeault of Pembroke.

HILLSBOROUGH COUNTY: Herrick, Fortin, Dwyer, Hayes, Fitzgerald, Kean, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Casey, Clancy, Ecker, Slowey, Corey, Leclerc, Paradis, Tessier, Craig, Delisle, Langlois, Lavoie, Morris, Bergeron, Kearns, Schricker, Alexander, Boisvert, Hurley, Lareau, Martel, Soucy of Manchester, Ward 12, Vailancourt, Dion of Manchester, Gauthier, Gelinas, Lafond, Lesmerises, Cannon, Donnelly, Buckley, Belcourt, Trombley, Ayers of Nashua, Brosnahan, Mayard, Dionne of Nashua, Shea of Nashua, Ryan, Sweeney of Nashua, Dugas, Dutilly, Grandmaison, Jean, Langelier, Bouthillier, Dumais.

CHESHIRE COUNTY: Pickett, Waling, Sherwin.

SULLIVAN COUNTY: Bascom.

GRAFTON COUNTY: Bradley, Hayward, Collyer.

COOS COUNTY: Fortier, Sheridan, Bouchard, Fontaine, Gagnon, Cornelius, Bushey, Charbonneau, Stinson.

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ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Shattuck, Barka, Bisbee, Clarke of Derry, Nickerson of East Kingston, Eastman of Exeter, Eldredge, Merrill, Rathbone, Jones of Fremont, Weeks of Greenland, Spollett, Hunter, Tobey, Thurlow, Battles, Parmenter, McCaffery, Labranche, Carter, Pinkham, Palmer, Hundley, Murch, Quirk, Travis, Joyce, Wardwell, Munz, Ingraham, Mafera, Philbrick, Haigh, Willis (Anna), Willis (Howard), Pillsbury of Sandown, Felch, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Felker, Webb, Connell, Crandall, Funkhouser, Littlehale, Stearns, Mros, Nute, Chadbourn, Wentworth, Evans, Rolfe, Dustin, St. Pierre, Studley, Clement of Rochester, Estes, Green, Brown of Strafford.

BELKNAP COUNTY: Skinner, McAllister, Gardner of Gilford, Robertson, Hart, Rogers, Tilton, Ballentine, Karagianis, Burbank, Dana, Varrell, Miner, Smith of Meredith, Urie, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Benson, Downs, Roberts, Stokes, Nickerson of Madison, Lamprey, Hayden, Hodge, Hodgdon, Peaslee of Wakefield, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Ellsworth, Vaughn of Bow, Stevens, Dowd, Ferrin, Davis of Concord, Henry, Hancock, Shea of Concord, Lessels, Nelson of Concord, Corbett, Jewett, Rainie, Saltmarsh, Cilley, Maxham, McKee, Walker, Mahoney of Concord, Anderson, Comi, Nutter, Broadhurst, Carpenter, Mason, Davis of Hopkinton, Brown of Loudon, Milligan, Gay of New London, Wilman, Ayer of Pittsfield, Young, Lovejoy, Bigelow, Bean, Workman.

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Black, Jones of Francestown, Hambleton, Poore, Reed, Hadley, Goodwin, Abbott, Latour, Lang of Manchester, Pettigrew, Soucy of Manchester, Ward 1, Danforth, Geisel, Mahony of Manchester, Pillsbury of Manchester, Robb, Horan,

Sullivan, Nolan, Callahan, Healy of Manchester, Ward 16, Constant, Cary, Auger, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Cummings, Peterson, Ramsdell, Saunders, Boire, Thibault of Nashua, Chartrain, Locke, Aho, Mailloux, Dutton, Rice, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Burnham, Post, Thomas, Pike, Smith of Hinsdale, Perry, Spofford, Haley, Kirk, McCullough, Wheeler, Bennett, Brown of Keene, Coddington, Faulkner, Carlton, Brown of Marlow, Terrill, Lane, Bouvier, Lang of Troy, Ballam, Rhodes, Billings, Ingham, Thompson.

SULLIVAN COUNTY: Frizzell, Angus, Bloomfield, Howe, Bissonett, Firestone, Millar, Marcotte, Stone, Davis of Cornish, Nelson of Goshen, Reney, Bailey, Roe, Rowell, Vaughan of Newport, Pierce, Gamsby, DeLude.

GRAFTON COUNTY: Ramsey, Pryor, Chamberlin of Bath, Stevenson, Plumer, Willey, Clarke of Canaan, Sanborn, Atkins, Holden, Larty, Sleeper, Chamberlain of Holderness, Clement of Landaff, Adams, Ashley, Cole, Jones of Lebanon, Perley, Townsend, Gardner of Littleton, Kelley, Martin, Horton, Frazer, Talbot, Carr, Bell, Huckins, Barney, Sawyer.

COOS COUNTY: Dussault, Russell, Brungot, Christiansen, Rines, Alls, Hurlbert, Bishop, Ross, Ferguson, Potter, Converse, Phelan, Baker, Taylor.

### Pairs

Mr. Karkavelas of Dover voting Yes paired with Mr. Gilbert of Wentworth voting No.

And the motion to substitute did not prevail.

Mr. Pillsbury of Manchester offered the following amendment:

Amend section 4 of the bill by adding the following: Upon application by the assessors the tax commission for good cause may extend the time for such delivery, so that said section as amended shall read as follows:

4. *Collection.* The selectmen of towns and assessors of cities shall on or before June 1, 1955 and June 1, 1956, make a list of all head taxes by them assessed against residents of their respective towns and cities and commit the same together with a warrant under their hands and seals to the collector of

taxes for such town or city directing said collector to collect such head taxes on or before December first next following and keep the same in a special account, and monthly, or oftener, pay the same over to the town or city treasurer as the same are collected. Upon receipt of the original head tax warrant in each year the collector shall forthwith certify to the state treasurer, upon a form prescribed and provided by the state treasurer, the total amount thereof. Upon application by the assessors the tax commission for good cause may extend the time for such delivery.

The question being on the amendment.

(Discussion ensued)

Mr. Pillsbury of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Payeur of Pembroke offered the following amendment:

Amend said bill by inserting after section 16 the following new section:

17. *Payment of Poll or Head Taxes.* Amend section 3-a of chapter 116 of the Revised Laws, as amended by striking out the same and inserting in place thereof the following:

3-a. *Prohibition.* No official or other person shall issue a permit to register a motor vehicle, or a permit to operate a motor vehicle, or a license to hunt, fish or trap, without first requiring the applicant to furnish to such issuing officer a tax collector's receipt for the payment of his poll and/or head tax for the preceding year or to furnish a statement that such taxes have been abated or that he is exempt from such payment. Any person who shall violate the provisions of this section shall be fined not more than fifty dollars.

Further amend said bill by renumbering section 17 to read section 18.

The question being on the amendment.

(Discussion ensued)

Messrs. Payeur of Pembroke and Pillsbury of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.



Mr. Malley of Somersworth offered the following amendment:

Amend House Bill No. 1, by striking out in lines 4 and 5 of Section "One" the words "and under 70" so that the section as amended shall read as follows:

1. *Special Head Tax.* There is levied and assessed in 1955 and 1956 for the use of the State a special head tax of five dollars upon each and every resident of the State, over twenty-one years of age, as defined herein.

The question being on the amendment.

(Discussion ensued)

Messrs. Malley of Somersworth, Kearns of Manchester and Mrs. Dondero of Portsmouth spoke in favor of the amendment.

Messrs. Pillsbury of Manchester and Jones of Lebanon spoke against the amendment.

On a *viva voce* vote the amendment was not adopted, and the bill was ordered to a third reading.

### Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it ordered to a third reading, House Bill No. 1, An Act providing for the assessment and collection of a special head tax for state purposes.

On a *viva voce* vote the motion to reconsider did not prevail.

Mr. Eastman of Weare, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 97, An Act relative to spare or substitute highway toll collectors, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Chamberlin of Bath, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 188, An Act relative to liability under insurance policies issued to the parents of minor children, having con-

sidered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Metcalf of Tilton, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 1, An Act relative to speed regulations for motor vehicles, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Rainie of Concord, Senate Bill No. 1 was recommitted to the Committee on Executive Departments and Administration.

Mr. Green of Rollinsford, for the Committee on Public Health, to whom was referred House Bill No. 191, An Act relative to the practice of dentistry, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by inserting after section 4 the following new section: 5. *Illegal Practice of Dentistry*. Amend said chapter 251 (chapter 317, R S A) by inserting after section 29 the following new section: 29-a. *Injunction*. The state dental board may petition the superior court for an injunction to restrain the practice of dentistry, as defined in section 17, by any person other than a licensed dentist or such other persons as are specifically excepted from the operation of section 17. In such proceedings the board shall be represented by the attorney general, and such petition may be filed in the superior court for the county in which the defendant named therein resides, or, if such defendant is a nonresident, then in the superior court for any county in which the named defendant does business. The petition for such injunction or the issuance thereof shall be in addition to, and shall not relieve any such person from, criminal prosecution. In connection with any such petition for an injunction, it shall not be necessary to prove that an adequate remedy at law does not exist.

Further amend by renumbering section 5 to read section 6.

The report was accepted, and the amendment laid upon the table, under Rule 48.

Mr. Green of Rollinsford, for the Committee on Public Health, to whom was referred House Bill No. 254, An Act relative to a report of birth, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Comi of Concord, for the Committee on Labor, to whom was referred House Bill No. 178, An Act to provide that all state employees and employees of political subdivisions shall be subject to the provisions of unemployment compensation, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Burke of Franklin, for the Special Committee consisting of the members from the city of Franklin, to whom was referred House Bill No. 239, An Act relative to the police of the city of Franklin, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill and joint resolution:

Senate Bill No. 20, An Act relative to publicly elected officials of cities.

House Joint Resolution No. 16, Joint Resolution relative to special fishing licenses for certain students from foreign countries.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 19, An Act relating to prisoners committed to a house of correction.

House Bill No. 93, An Act relative to classification of a certain road in the town of Stratford.

House Bill No. 123, An Act relative to the establishment of fishing regulations.

House Bill No. 126, An Act relative to brook trout.

House Bill No. 127, An Act relating to the execution of bonds of the state.

House Bill No. 164, An Act relating to Oyster River Cooperative School District.

House Bill No. 173, An Act relative to donations for highway purposes.

House Bill No. 185, An Act relating to officers of the state committees of political parties.

House Bill No. 193, An Act relative to the care and custody of female convicts.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 184, An Act relative to honorary hunting and fishing licenses.

Amend section 1 of the bill by inserting after the word "to" in line 6 the words, the President and Vice President of the United States and, so that said section as amended shall read as follows: 1. *Honorary Licenses.* Amend chapter 247 of the Revised Laws by inserting after section 6-a, as inserted by section 1, chapter 60, Laws of 1947, (section 13 chapter 214, RSA) the following new section: 6-b. *Nonresident Honorary Licenses.* The director, with the approval of the fish and game commission, may issue honorary hunting or fishing licenses to the President and Vice President of the United States and nonresident governors, fish and game officials, accredited sports writers, and recognized conservationists, without charge. During a calendar year, not more than fifty hunting licenses nor seventy-five fishing licenses shall be made available for this purpose.

On motion of Mr. Burnham of Alstead the House voted to concur in the Senate amendment. The bill was sent to the Secretary of State to be engrossed.

### Resolutions

Mr. Walsh of Manchester offered the following resolution:

*Whereas*, Michael J. Collins, of Manchester, a former member of the House of Representatives, has passed away, therefore be it

*Resolved*, That we, the members of the House of Representatives of the New Hampshire Legislature, pay tribute to our former member and express our sympathy to his family in its bereavement, and be it further

*Resolved*, That the Clerk of the House transmit a copy of these resolutions to the family of Michael J. Collins.

On a *viva voce* vote the resolution was adopted.

Mrs. Funkhouser of Durham offered the following resolution:

*Whereas*, the New England-New York Inter-Agency Committee is holding its final hearings on its inventory report of the resources of the region on March 10, and this inventory will serve as a guide for the future development of these resources, and

*Whereas*, the State of New Hampshire has co-operated with the New England-New York Inter-Agency Committee in the making of this inventory, and

*Whereas*, the development of the natural resources of a state is a right of the people, and

*Whereas*, the New England-New York Inter-Agency Committee recommendations to the President may materially affect the future development of the State of New Hampshire; now therefore, be it

*Resolved*, that the House of Representatives of New Hampshire urges that the initiative in the development of the natural resources of the State should remain within the State, and be it further

*Resolved*, that the advice and support of the federal government be urged to supplement New Hampshire's efforts.

*And Be It Further Resolved*, that the Clerk of the House



be instructed to furnish a copy of these resolutions to the New England-New York Inter-Agency Committee.

On a *viva voce* vote the resolution was adopted.

### Resolution

Mr. Wadleigh of Milford moved that the rules be suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

On a *viva voce* vote the resolution was adopted.

Mr. Pickett of Keene called for a division but subsequently withdrew his demand.

### Third Readings

House Bill No. 1, An Act providing for the assessment and collection of a special head tax for state purposes.

House Bill No. 254, An Act relative to a report of birth.

Severally read a third time and passed and sent to the Senate for concurrence.

### Qualified

Mr. Roy L. Terrill of Surry having appeared before his Excellency, the Governor, and having taken the oath of office appeared and took his seat as a member of the House.

On motion of Mrs. Roe of Newport at 2:03 o'clock the House adjourned.

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THURSDAY, MARCH 10, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God, Thou God of law and order, in these times of confusion and bewilderment, and "when men doubt their beliefs and believe their doubts," save us, we implore Thee, from becoming victims of strange and conflicting ideologies. Give to the people of this free land a deeper appreciation of the blessings and privileges that are theirs. But, O Lord, we would go further than merely ask for a spirit of appreciation of the good things we enjoy—we would ask Thee to give us the conviction

and the courage, at all times, and under all conditions, to defend these blessings we have inherited. May we say in the words of our great American leader: "With malice toward none, with charity for all; with firmness in the right, as God gives us to see the right, let us strive to finish the work we are in." Amen.

### **Salute to the Flag**

Mr. Ecker of Manchester led the convention in the salute to the flag.

### **Leaves of Absence**

Mrs. Miner of Meredith was granted leave of absence for the day on account of important business.

Mrs. Bean of Webster was granted leave of absence for the day on account of illness in the family.

### **Introduction of Bills**

The following bills and joint resolutions were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Converse of Pittsburg, House Bill No. 425, An Act relative to the taxation of growing wood and timber. To the Joint Committees on Ways and Means and Resources, Recreation and Development.

By Mr. O'Shan of Laconia, House Bill No. 426, An Act providing for a veterans' memorial to be erected at the Weirs. To the Committee on Military and Veterans' Affairs.

By Mr. Flanagan of Dover, House Bill No. 427, An Act relative to the ward lines of the wards of the city of Dover. To the Special Committee consisting of the Delegation from the city of Dover.

By Mr. Hambleton of Goffstown, House Bill No. 428, An Act relative to the powers of the credit committee of credit unions. To the Committee on Banks.

By Mr. Hambleton of Goffstown, House Bill No. 429, An Act relative to loans of credit unions. To the Committee on Banks.

By Mr. Hambleton of Goffstown, House Bill No. 430, An Act relative to orders of mayor and aldermen or selectmen for

muzzling and restraining dogs. To the Committee on Municipal and County Government.

By Mr. Mailloux of Pelham, House Bill No. 431, An Act relating to tax exemption for institutions, societies and corporations not organized, incorporated, conducted, or operated principally for the benefit of New Hampshire residents. To the Committee on Judiciary.

### **Report of Committee on Engrossed Bills**

Mrs. Hundley of Portsmouth, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House and Senate bills:

House Bill No. 19, An Act relating to prisoners committed to a house of correction.

House Bill No. 60, An Act relative to migratory game birds.

House Bill No. 93, An Act relative to classification of a certain road in the town of Stratford.

House Bill No. 123, An Act relative to the establishment of fishing regulations.

House Bill No. 126, An Act relative to brook trout.

House Bill No. 127, An Act relating to the execution of bonds of the state.

House Bill No. 158, An Act relating to the commission on uniform state laws.

House Bill No. 173, An Act relative to donations for highway purposes.

House Bill No. 185, An Act relating to officers of the state committees of political parties.

House Bill No. 193, An Act relative to the care and custody of female convicts.

House Bill No. 372, An Act relative to special motor vehicle number plates for members of the general court and certain law enforcement officers.

House Bill No. 164, An Act relating to Oyster River Co-operative School District.

Senate Bill No. 18, An Act relative to the charter of St. Paul's Lodge No. 30, F. & A. M. at Alstead.

The report was accepted.

### Committee Reports

Mr. Hodgdon of Tufonboro, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 5, Joint Resolution in favor of Mrs. Joan Bonner, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Anderson of Concord, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 198, An Act relative to distribution of certain assets of dissolved business corporations, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 83, An Act relative to bow and arrow licenses for minors, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Bow and Arrow.* Amend section 16-a of chapter 242 of the Revised Laws, as inserted by chapter 258, Laws of 1949, and as amended by section 1, chapter 145, Laws of 1951, (section 5, chapter 208, R S A) by striking out after the word "license" in the seventh line the words "which shall entitle him to hunt deer with bow and arrow for a period of ten days immediately prior to the open season for taking deer" and inserting in place thereof the following: Said special license shall entitle the holder to hunt deer with bow and arrow for a period of twenty-one days immediately prior to the open season for taking deer in Bear Brook Reservation and for a period of ten days immediately prior to the open season for taking deer elsewhere. A special license shall not be required for residents less than sixteen years of age, but such person while hunting with bow and arrow must be accompanied by a properly licensed person who is twenty-one years of age or over, and must further

comply with all provisions of this chapter, so that said section as amended shall read as follows: 16-a. *Bow and Arrow*. Any resident holding a valid New Hampshire hunting license upon the payment of an additional fee of two dollars, or any nonresident holding a valid New Hampshire hunting license upon the payment of an additional fee of three dollars, or a nonresident not holding a New Hampshire hunting license, upon the payment of a fee of ten dollars, shall be issued a special license. Said special license shall entitle the holder to hunt deer with bow and arrow for a period of twenty-one days immediately prior to the open season for taking deer in Bear Brook Reservation and for a period of ten days immediately prior to the open season for taking deer elsewhere. A special license shall not be required for residents less than sixteen years of age, but such person while hunting with bow and arrow must be accompanied by a properly licensed person who is twenty-one years of age or over, and must further comply with all provisions of this chapter. Any person taking a deer under the provisions of this section shall notify a conservation officer within twenty-four hours of such taking.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 151, An Act relative to illegal night hunting, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out said section and inserting in place thereof the following: 1. *Possession of Jacks*. Amend section 6 of chapter 242 of the Revised Laws, as amended by chapter 161, Laws of 1947, and by chapter 119, Laws of 1951, (section 8, chapter 208, R S A) by striking out the words "including any vehicle in which the same is being transported," in the eighth and ninth lines; further amend by striking out the word "sufficient" in the fifteenth line and inserting in place thereof the words, *prima facie*, so that said section as amended shall read as follows: 6. *Possession of Jacks, etc.* No person shall have in his possession any jack or artificial light, swivel, pivot, or set gun while hunting wild birds or wild animals, including unprotected birds and wild animals on which a bounty may be paid. Any person convicted of illegal night



hunting shall forfeit such firearms, jacks, or any other equipment used or usable in the illegal night hunting at the time of such violation. The deliberate use of an artificial light between one-half hour after sunset and one-half hour before sunrise to illuminate, jack, or to show up wild animals by a person having in his possession a rifle larger than a 22 cal. rimfire or shotgun with shot larger than No. 4, either in the gun, on the person, or in an automobile, boat, airplane or other craft propelled by mechanical power, shall be prima facie evidence of illegal night hunting. Nothing herein contained shall be construed to prohibit the use of lights for hunting raccoon as permitted in section 3, chapter 244.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 203, An Act relative to domestic animals killed or wounded by hunters, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 219, An Act relative to elk, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of the bill by striking out after the word "be" in the eighth line the words "delivered to state or county charitable institutions, as may be determined by the director" and inserting in place thereof the words, sold and all sums received from said sale shall be kept in a special account to be expended only by the fish and game director with the advice and consent of the fish and game commission for the purpose of the establishment of an elk herd in the northern counties of the state, so that said section as amended shall read as follows:

1. *Elk, Number of* The director of fish and game is hereby directed to reduce the elk herd in the state to a population that will no longer present a potential threat to agriculture interests. The reduction of this herd shall be started at

once and carried to completion without unnecessary delay. In determining the number of elk to be killed hereunder the director shall consult with the commissioner of agriculture as to agricultural interests. The carcasses of such elk as are killed hereunder shall be sold and all sums received from said sale shall be kept in a special account to be expended only by the fish and game director with the advice and consent of the fish and game commission for the purpose of the establishment of an elk herd in the northern counties of the state.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 114, An Act relative to games of beano, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Gamsby of Sunapee moved that the words "ought to pass" be substituted for the words "inexpedient to legislate."

The question being on the motion to substitute.

(Discussion ensued)

Mr. Gamsby of Sunapee spoke in favor of the motion.

Mr. Deans of Milford spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 233, An Act relating to the liability for payment of poll taxes, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Christiansen of Berlin, for the Special Committee consisting of the members from the county of Coos, to whom was referred House Bill No. 315, An Act relative to salary of Coos county solicitor, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Faulkner of Keene offered the following amendment:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the salaries of Coos and Cheshire county solicitors.

Amend section 1 of said bill by inserting after the words, "twenty-four" in the sixth line the words, and by striking out the words "fifteen hundred" in the ninth line and inserting in place thereof the words, two thousand, and further amend said section by striking out the words "fifteen hundred" in the fifteenth line and inserting in place thereof the words, two thousand, so that said section as amended shall read as follows:

1. *Coos and Cheshire County Solicitors.* Amend section 20 of chapter 24, Revised Laws, as amended by chapters 40 and 136, Laws of 1943, by chapters 2, 27, 202, 213, 242, 263, 268, and 270 of the Laws of 1947, and by chapter 183, Laws of 1949, by chapters 108, 122 and 179 of the Laws of 1953, by striking out the word "eighteen" in the twelfth line and inserting in place thereof the word, twenty-four, and by striking out the words "fifteen hundred" in the ninth line and inserting in place thereof the words, two thousand, so that said section as amended shall read as follows: 20. *Salaries.* The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, twenty-two hundred dollars.

In Strafford, eighteen hundred dollars.

In Belknap, fifteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, thirty-three hundred dollars.

In Cheshire, two thousand dollars.

In Sullivan, fifteen hundred dollars.

In Grafton, twenty-four hundred dollars.

In Coos, twenty-four hundred dollars.  
The question being on the amendment.

(Discussion ensued)

Messrs. Faulkner and Pickett of Keene and Mrs. Brungot of Berlin spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mrs. St. Pierre of Rochester, for the Special Committee consisting of the members from the county of Strafford, to whom was referred House Bill No. 298, An Act relative to the salaries of the Strafford county commissioners, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the word "eighteen" in the seventh and twelfth lines and inserting in place thereof the word, fifteen, so that said section as amended will read as follows:

1. *Strafford County.* Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, by chapters 66 and 163 of the Laws of 1945, by chapters 202 and 284 of the Laws of 1947, by chapters 73 and 162 of the Laws of 1949 and chapters 149 and 233 of the Laws of 1951, and chapters 90 and 123 of the Laws of 1953, by striking out in the fourth line the words "twelve hundred" and inserting in place thereof the words, fifteen hundred, so that said section as amended shall read as follows: 1. *Commissioners.* The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, eighteen hundred dollars.

In Strafford, fifteen hundred dollars.

In Belknap, twelve hundred dollars.

In Merrimack, fifteen hundred dollars.

In Hillsborough, thirty-five hundred dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, twelve hundred dollars.

In Grafton, twelve hundred dollars.

In Coos, fifteen hundred dollars.

In Carroll county each commissioner, when employed in the business of the county, shall receive ten dollars a day, payable as hereinbefore provided. To the foregoing sums shall be added, in all the counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

Amend the bill by inserting after section 1 the following new section:

2. *Strafford County Treasurer.* Amend section 13, chapter 48 of the Revised Laws, as amended by chapter 66, Laws of 1945, chapter 257, Laws of 1947, and chapter 179, Laws of 1953, by striking out the word "four" in the sixth line and inserting in place thereof the word, five, so that said section as amended shall read as follows: 13. *Salaries.* The annual salaries of the treasurers of the several counties, to be in full for their services and allowances of every kind, except as hereinafter provided, shall be as follows:

In Rockingham, eight hundred dollars.

In Strafford, five hundred dollars.

In Belknap, three hundred dollars.

In Carroll, five hundred dollars.

In Merrimack, six hundred dollars.

In Hillsborough, twelve hundred dollars.

In Cheshire, four hundred dollars.

In Sullivan, four hundred dollars.

In Grafton, five hundred dollars.

In Coos, four hundred dollars.

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

Amend section 2 of the bill by striking out the words "upon its passage" and inserting in place thereof the following, as of January 1, 1955; further amend by renumbering the section to read, section 3, so that said section as amended shall read as follows: 3. *Takes Effect.* This act shall take effect as of January 1, 1955.

The report was accepted.

Reading of the amendment having commenced on motion of Mr. Chase of Dover, further reading was dispensed with.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.



Mrs. St. Pierre of Rochester, for the Special Committee consisting of the members from the county of Strafford, to whom was referred House Bill No. 306, An Act relative to the salary of the Strafford county solicitor, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 by striking out the word "three" in the sixth and tenth lines and inserting in place thereof the word, two, so that said section as amended shall read as follows: 1. *Strafford County Solicitor*. Amend section 20 of chapter 24 of the Revised Laws, as amended by chapters 40 and 136, Laws of 1943, by chapters 2, 27, 202, 213, 242, 263, 268 and 270 of the Laws of 1947, and by chapter 183, Laws of 1949 and by chapters 108 and 122 of the Laws of 1953, by striking out the words "eighteen hundred" in the fourth line and inserting in place thereof the words two thousand, so that said section as amended shall read as follows: 20. **Salaries.** The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, twenty-two hundred dollars.

In Strafford, two thousand dollars.

In Belknap, fifteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, thirty-three hundred dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, fifteen hundred dollars.

In Grafton, twenty-four hundred dollars.

In Coos, eighteen hundred dollars.

Amend section 2 by striking out the words "upon its passage" and inserting in place thereof the following, as of January 1, 1955, so that said section as amended shall read as follows:

2. *Takes Effect.* This act shall take effect as of January 1, 1955.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

### Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that the Senate had voted to concur with the

House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 22, An Act relative to the care and custody of females transferred to the custody of the state prison.

### Resolutions

Mr. Vaughan of Newport offered the following resolution:

*Whereas* House Bill No. 327, An Act to provide state aid for nursing education is now pending in the House of Representatives;

*And Whereas* part II of said bill provides, grants in aid, subject to certain restrictions, to all eligible hospitals offering training in basic professional nursing;

*And Whereas* a substantial number of the hospitals offering such training in this state are conducted under the auspices of a certain religious denomination but need assistance as much as other hospitals;

*And Whereas* the Constitution of New Hampshire, part II, Article 83, contains the following proviso: "Provided nevertheless, that no money raised by taxation shall ever be granted or applied for the use of the schools or institutions of any religious sect or denomination;"

*And Whereas* there is doubt whether this proviso was intended to apply to a hospital offering training for nurses;

*Resolved* that the Justices of the Supreme Court be respectfully requested to give their opinion upon the following questions of law:

(1) Does part II of said bill conflict with the above-quoted proviso of part II, Article 83, of the Constitution or with any other provision of the Constitution, as applied to hospitals conducted under the auspices of any religious denomination, which comply with the restrictions of section 1, part II of said bill?

(2) If the answer to question No. 1 is in the affirmative, is there any valid way of amending said bill so as to provide public assistance to such hospitals?

(3) Do any other provisions of said bill appear to conflict with the Constitution?

*Further Resolved* that the Speaker transmit six copies of

this resolution and of House Bill No. 327 to the Clerk of the Supreme Court for appropriate action.

On a *viva voce* vote the resolution was adopted.

Mr. Chase of Dover offered the following resolution:

*Whereas*, Thomas Robinson of Dover, father of Harry A. Robinson, doorkeeper of the House, has passed away, therefore be it

*Resolved*, That we, the members of the House of Representatives of the New Hampshire Legislature, extend our deepest sympathy to Mr. Robinson in his bereavement, and be it further

*Resolved*, That the Clerk be instructed to transmit a copy of these resolutions to him.

On a *viva voce* vote the resolution was adopted.

### **Concurrent Resolution**

Mr. Fortier of Berlin offered the following concurrent resolution:

*Resolved by the House of Representatives, the Senate concurring,*

That the New Hampshire delegation in the Congress of the United States be memorialized to use their best efforts with the federal officials in order that the Newington Air Force Base, now under construction at Newington, be named the William A. Dumont Air Base in memory of William A. Dumont who was murdered by German civilians on August 26, 1944;

*Further Resolved*, That the Secretary of State is hereby directed to send a copy of this resolution to Senators Bridges and Cotton and to Representatives Merrow and Bass in Washington, D. C.

The concurrent resolution was referred to the Committee on Military and Veterans' Affairs.

### **Committee Appointment**

Mr. Terrill of Surry, to the Committee on Aviation, in place of Mr. Mitchell of Surry, resigned.

### **Resolution**

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in

order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Friday morning at 11:00 o'clock.

### Third Readings

House Bill No. 83, An Act relative to bow and arrow licenses for minors.

House Bill No. 151, An Act relative to illegal night hunting.

House Bill No. 198, An Act relative to distribution of certain assets of dissolved business corporations.

House Bill No. 219, An Act relative to elk.

House Bill No. 298, An Act relative to the salaries of the Strafford county commissioners.

House Bill No. 306, An Act relative to the salary of the Strafford county solicitor.

House Bill No. 315, An Act relative to salary of Coos county solicitor.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Willis of Salem at 12:40 o'clock the House adjourned.

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FRIDAY, MARCH 11, 1955

The House met at 11:00 o'clock

Prayer was offered by the Chaplain.

"If any man lack wisdom, let him ask of God, who giveth to all men liberally \* \* \* and it shall be given him." O God, our heavenly Father, we earnestly beseech Thee to save us from such conceit and such self-sufficiency as will blind us to Thy rightful place in our lives. Save us from that self-satisfaction that refuses to believe that Thou knowest more about the needs and welfare of our State than we do; that Thou knowest more about government than we do. And above all, save us from the folly of leaving Thee out of our actions in these days of vital and important considerations—actions that may have much to do toward the future welfare of our State. In the spirit of humility may we seek Divine wisdom and guidance. We ask it in the name of Jesus Christ, our Lord. Amen.

### Salute to the Flag

Mr. Bigelow of Warner led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Roberts of Conway, Anderson of Concord, and Tobey of Hampton were granted leaves of absence for the day on account of important business.

Mr. Gay of Derry was granted leave of absence for the day on account of illness.

### Opinion of the Justices of the Supreme Court

*To the House of Representatives:*

The undersigned, the Justices of the Supreme Court, make the following answer to the inquiry contained in your resolution with reference to House Bill No. 145, entitled "An Act Relating to An Equalized Average Income Tax Rate."

This bill would amend R. L., c. 78, s. 1, providing for a tax on incomes consisting of interest and dividends, by inserting before the word "average" in the first line the word, "equalized" so that said section as amended shall read as follows: "1. *Rate.* An annual tax upon incomes shall be levied at the equalized average taxation, as near as may be levied upon other property throughout the state, excepting polls . . . "

It is our understanding that under the present law the rate at which such incomes are taxed is arrived at by dividing the amount of money to be raised by direct property taxation in the towns and cities of the state by the net valuations assessed by the proper officials in each town and city.

The bill does not purport to define what would be meant by "the equalized average rate . . . levied upon other property throughout the state." The provisions of R. L., c. 82, s. 11 V, require the Tax Commission in every even year "to equalize the valuation of the property in the several towns and cities of the state . . . by [bringing] said valuations to the true and market value of said property." We assume that the proposed rate would be the average rate required to produce the money to be raised by direct property taxation in the said towns and cities upon the equalized valuations of the property therein.

Under the present bill the divisor used to determine the rate of tax would not be the valuations assessed by the officials of towns and cities but rather those valuations as equalized by



the Tax Commission under the provisions of R. L., c. 82, s. 11 V. Thus House Bill No. 145 would impose upon dividends and interest a tax at the "equalized" average rate of taxation instead of at the average rate as now provided. R. L., c. 78, s. 1. As property is presently assessed at about fifty per cent of its value (see Report of Commission to Recommend Reorganization of the Tax Structure, 1954, p. 43, 44), this would have the effect of reducing about in half the present rate used for the tax on interest and dividends.

As we have said in answer to your inquiry as to House Bill No. 144 "the relation of the tax on interest and dividends to that on estates as to rate and other features rests in the discretion of the legislature provided it is laid at a common and uniform rate." *Opinion of the Justices* (returned this day). The manner proposed in House Bill No. 145 of arriving at the rate of taxation is clearly within that discretion and the proposed bill is constitutional.

FRANK R. KENISON,  
LAURENCE I. DUNCAN,  
AMOS N. BLANDIN, JR.,  
EDMUND J. LAMPRON,  
JOHN R. GOODNOW.

*To the House of Representatives:*

The undersigned, the Justices of the Supreme Court, make the following answer to the inquiry contained in your resolution with reference to House Bill No. 144, entitled "An Act relative to the rate of tax on interest and dividends."

R. L., c. 78, s. 1 provides that "an annual tax upon incomes [interest and dividends] shall be levied at the average rate of taxation, as near as may be, levied upon other property throughout the state, excepting polls, savings bank deposits, deposits in savings departments of national banks, and property specially taxed, for the year in which the incomes taxed under this chapter are received."

House Bill No. 144 would strike out the above section and insert in place thereof the following: "Rate. An annual tax upon incomes [interest and dividends] shall be levied at the rate of two and one-half per cent."

We are of the opinion that the provisions of said bill do not violate the fundamental law of the state with respect to the determination and collection of taxes.

The history of our constitutional provisions relating to taxation can be divided into two periods, the first from 1784 to 1903, the second from 1903 to date. The following provisions of article 5, Part Second of our Constitution have remained unchanged since its inception namely, that the General Court shall have full power and authority "to impose and levy proportional and reasonable assessments, rates, and taxes, upon all the inhabitants of, and residents within the state; and upon all estates within the same." However article 6 thereof was amended in 1903. Prior thereto it read as follows: "And while the public charges of government, or any part thereof, shall be assessed on polls and estates in the manner that has heretofore been practiced, in order that such assessments may be made with equality, there shall be a valuation of the estates within the state, taken anew once in every five years, at least, and as much oftener as the general court shall order."

"Under this language, it has been said that the power to tax was 'confined to persons and estates.'" *Opinion of the Justices*, 77 N. H. 606, 615. The word "estates" was held to include every species of property within the state and the tax imposed thereon was considered a burden placed upon its ownership, possession and enjoyment. *Conner v. State*, 82 N. H. 126, 128. It was required to be laid *ad valorem* (*Opinion of the Justices*, 82 N. H. 561, 568) and to be proportional and reasonable, or equal and just, which demands uniformity in the mode of assessment and in the rate of taxation. *Bemis &c. Bag Co. v. Claremont*, 98 N. H. 446, 450. Before the amendment there was much doubt if and how far incomes were taxable. *Opinion of the Justices, supra*, 578.

In 1903, article 6 was amended to read in part as follows: "The public charges of government, or any part thereof, may be raised by taxation upon polls, estates, and other classes of property, including franchises and property when passing by will or inheritance." "That amendment is not an extension of the right to tax estates, but a grant of the power to tax in other ways." *Opinion of the Justices, supra*, 567. "Read in another way, the provision means that property may be taxed for reasons other than ownership . . . 'other classes of property' is here used as equivalent for property otherwise classified." *Conner v. State, supra*. The removal of the doubt as to the taxability of incomes was one purpose of the amendment, "and its effect in subjecting incomes to taxation as a class of prop-

erty other than 'estates' is clear and unquestioned." *Opinion of the Justices, supra*, 578. The annual tax upon "estates" is a burden placed upon ownership without regard to when the property was obtained or whence it came. The income tax is a levy upon the receipt of property and continued ownership of it does not subject it to a recurrence of the tax. It involves a different kind of taxability. Like the inheritance tax the income tax inherently is not a proportional distribution of public expense upon the property of the taxing district as is required by article of the Constitution. *Thompson v. Kidder*, 74 N. H. 89, 93; *Opinion of the Justices, supra*; *Conner v. State, supra*, 131. However such taxes were specifically authorized by the amendment of 1903 even though by their nature they cannot be correlated with the annual estate tax. In other words taxation of incomes is permitted not because it can be correlated with the annual estate taxes but because taxes incapable of such correlation were authorized by said amendment. Taxes on interest and dividends can therefore be levied and need not be at the same rate as the annual property taxes (*Conner v. State, supra*, 130) provided that they are laid at a common and uniform rate.

Like the poll tax (R. L., c. 73), the tobacco tax (R. L., c. 79) and the tax on legacies and successions (R. L., c. 87) the relation of the tax on interest and dividends to that on estates as to rate and other features rests in the discretion of the Legislature provided it is laid at a common and uniform rate. *Opinion of the Justices*, 84 N. H. 559, 571; *Opinion of the Justices*, 95 N. H. 537, 540. A rate differing from the average rate of the annual property tax throughout the state, be it higher or lower, is constitutional. It follows that the proposed rate of two and one-half per cent is clearly within the legislative discretion. See *Opinion of the Justices*, 88 N. H. 500, 505, 508, relating to H. B. 388, 1937 session, providing for a tax on interest and dividends at the rate of three per cent.

FRANK R. KENISON,  
LAURENCE I. DUNCAN,  
AMOS N. BLANDIN, JR.,  
EDWARD J. LAMPRON,  
JOHN R. GOODNOW.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Pappagians of Nashua (by request), House Bill No. 432, An Act relative to returns filed with the tax commission under taxation of incomes. To the Committee on Executive Departments and Administration.

By Rules Committee (Mr. Rathbone of Exeter), House Bill No. 433, An Act relative to legalizing certain proceedings at the Exeter town meeting, March 8, 1955. To the Committee on Executive Departments and Administration.

By Rules Committee (Mr. Kelley of Littleton), House Bill No. 434, An Act to legalize a certain vote at the 1955 meeting in the town of Littleton. To the Committee on Executive Departments and Administration.

By Mrs. Roe of Newport, House Bill No. 435, An Act relative to the establishment of a training program for practical nurses at the state technical institutes. To the Committee on Education.

By Mr. Roy of Berlin and Mr. Thibault of Nashua, House Bill No. 436, An Act providing for the sale of wines by grocery stores. To the Committee on Liquor Laws.

By Mr. Brown of Marlow, House Bill No. 437, An Act relative to hunting wild bear. To the Committee on Fish and Game.

By Mr. Hambleton of Goffstown, House Bill No. 438, An Act relating to group life insurance for share holders in credit unions. To the Committee on Banks.

By Mr. Vaughn of Bow, House Bill No. 439, An Act relative to Alexander Cemetery Association. To the Committee on Executive Departments and Administration.

By Mr. Kelley of Littleton, House Joint Resolution No. 43, Joint Resolution relative to interim committee to study senatorial districts. To the Committee on Judiciary.



### Printing Dispensed With

On motion of Mr. Rainie of Concord the rules were suspended to dispense with the printing of House Bills No. 433, 434, and 435.

### Reconsideration

Mr. Rainie of Concord moved that the House reconsider its vote whereby it voted to dispense with the printing of House Bills No. 433, 434, and 435.

The question being on the motion.

(Discussion ensued)

Mr. Rainie of Concord spoke in favor of the motion.

On a *viva voce* vote the motion to reconsider prevailed.

### Printing Dispensed With

On motion of Mr. Rainie of Concord the rules were suspended to dispense with the printing of House Bill No. 433, An Act relative to legalizing certain proceeding at the Exeter town meeting, March 8, 1955 and House Bill No. 434, An Act to legalize a certain vote at the 1955 meeting in the town of Littleton.

### Report of Committee on Engrossed Bills

Mrs. Hayden of Ossipee, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House Bills and House Joint Resolution:

House Bill No. 129, An Act relative to the payment of poll taxes.

House Bill No. 165, An Act relating to non-military use of state armories.

House Bill No. 184, An Act relative to honorary hunting and fishing licenses.

House Joint Resolution No. 16, Joint Resolution relative to special fishing licenses for certain students from foreign countries.

The report was accepted.

### Committee Reports

Mr. Frazer of Monroe, for the Special Committee consisting of the members from the county of Grafton, to whom was



referred House Bill No. 17, An Act relative to the salaries for Grafton county commissioners, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Martin of Littleton, for the Special Committee consisting of the members from the county of Grafton, to whom was referred House Bill No. 245, An Act dividing Grafton county into commissioner districts, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Frazer of Monroe, for the Special Committee consisting of the members from the county of Grafton, to whom was referred House Bill No. 246, An Act dividing Grafton county into commissioner districts, having considered the same, reported the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Martin of Littleton, for the Special Committee consisting of the members from the county of Grafton, to whom was referred House Bill No. 247, An Act relative to the salary of the sheriff of Grafton county, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Willey of Campton offered the following amendment.

Amend section 2 of the bill by striking out the words "upon its passage" and inserting in place thereof the following: as of January 1, 1955, so that said section as amended shall read as follows:

2. *Takes Effect*. This act shall take effect as of January 1, 1955.

The question being on the amendment.

(Discussion ensued)

Mr. Willey of Campton spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Griffin of Auburn, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 196, An Act relative to exceptions to foreign corporations operating motor vehicles in intrastate commerce, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out Section 1 and inserting in place thereof the following:

1. *Addition to Exceptions.* Amend section 23 of chapter 289 of the Revised Laws (section 25, chapter 374 R S A) by adding at the end the words, or to any foreign corporation duly authorized by the Interstate Commerce Commission to operate motor vehicles for the carriage of passengers for hire in interstate commerce over the highways of this state which presently conducts or desires to conduct the business of transportation of passengers and/or baggage, mail, newspapers and express in the same vehicles with passengers for hire by motor vehicles in intrastate commerce, so that said section as amended shall read as follows: 23. *Exceptions.* The provisions of the preceding section shall not apply to any corporation operating a public utility plant in this state on June 1, 1911, or doing or desiring to do an interstate business, or to any foreign corporation duly authorized by the Interstate Commerce Commission to operate motor vehicles for the carriage of passengers for hire in interstate commerce over the highways of this state which presently conducts or desires to conduct the business of transportation of passengers and/or baggage, mail, newspapers and express in the same vehicles with passengers for hire by motor vehicles in intrastate commerce.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

#### **Taken from the Table Under Rule 48**

House Bill No. 191, An Act relative to the practice of dentistry was taken from the table.

The question being on the amendment offered by the Committee on Public Health in the Journal of March 9.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 129, An Act relative to the payment of poll taxes.

House Bill No. 165, An Act relating to the non-military use of state armories.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 45, An Act relative to jeopardy on personal property.

### Senate Bill Read and Referred

Senate Bill No. 45, An Act relative to jeopardy on personal property.

Read a first and second time and referred to the Committee on Ways and Means.

### Resolutions

Mrs. Dondero of Portsmouth offered the following resolution:

*Whereas*, Henry P. Sullivan, National Committeeman of the Democratic Party in New Hampshire, and former member of the House of Representatives, is confined to the hospital by illness, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, hereby extend to our former fellow member our sympathy in his illness and our best wishes for a speedy recovery to health, and be it further

*Resolved*, that the Clerk of the House transmit to Mr. Sullivan a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mrs. Brungot of Berlin offered the following resolution:

*Whereas*, we have learned that His Excellency Laurence

M. Pickett has been demoted from his august position as Mayor of the City of Keene, due to a technicality in the law, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature hereby express our profound sympathy to our fellow member in this unfortunate circumstance, and our hopes that some suitable adjustment will be made in the very near future so that he may be restored to his honorable position as Mayor of the City of Keene and thereby returned to the residents of that city his valuable services, and be it further

*Resolved*, that the Clerk of the House transmit to Larry a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Skinner of Alton offered the following resolution:

*Whereas*, the closing of the Murphy General Hospital in Waltham, Mass., is scheduled at the close of the current fiscal year and no new patients will be admitted whose treatment cannot be completed by April 30, 1955, and

*Whereas*, this is the only Army general hospital in the New England area and is of semi-permanent type construction as opposed to the frame structure of the hospitals at most Army installations, and

*Whereas*, needed medical and surgical treatment is available for both reserve and active members of the Army, as well as the Air Force and Navy personnel, and, perhaps even more important, to the dependents of such members of the Armed Forces, and

*Whereas*, the closing of this hospital will work an undue and severe hardship on many such members of the Armed Forces and their dependents from New Hampshire as well as other New England states, and

*Whereas*, operation of this hospital with the possible addition of an organized program of medical research and training could prove most valuable to the Armed services and would insure the continuance of these necessary facilities, now therefore be it

*Resolved*, that the House of Representatives of the New Hampshire General Court request the members of the New Hampshire Congressional delegation to study carefully all

factors involved in the proposed closing of the Murphy General Hospital, with special attention to the effect of the addition of the aforementioned research and training program, and be it further

*Resolved*, that with due regard to economy and efficient operation, every reasonable effort be directed toward retaining the vital medical and surgical care now available, and be it further

*Resolved*, that a copy of these resolutions be forwarded to each member of the New Hampshire Congressional delegation.

The question being on the resolution.

(Discussion ensued)

Messrs. Chase of Dover and Skinner of Alton spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

Mr. Donnelly of Manchester offered the following resolution:

*Whereas*, Peter J. McDonough, a former Representative from Ward 8, Manchester, has passed away, therefore be it

*Resolved*, That we, the members of the House of Representatives of the New Hampshire Legislature, pay tribute to his services to his city and state, and extend our deep sympathy to his family in its bereavement, and be it further.

*Resolved*, That the Clerk of the House transmit a copy of these resolutions to Mrs. McDonough.

On a *viva voce* vote the resolution was adopted.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 17, An Act relative to the salaries for Grafton county commissioners.

House Bill No. 191, An Act relative to the practice of dentistry.



House Bill No. 196, An Act relative to exceptions to foreign corporations operating motor vehicles in intrastate commerce.

House Bill No. 245, An Act dividing Grafton county into commissioner districts.

House Bill No. 247, An Act relative to the salary of the sheriff of Grafton county.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Atwood of Sanbornton at 12:21 o'clock the House adjourned.

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TUESDAY, MARCH 15, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain J. Hamilton Lewis, Christian Science Committee on Publication for the State of New Hampshire, who read selections from the Holy Bible, I John 4 as follows:

"Beloved, let us love one another; for love is of God; and everyone that loveth is born of God, and knoweth God.

"Beloved, if God so loved us, we ought also to love one another.

"And we have known and believed the love that God hath to us.

"God is love; and he that dwelleth in love dwelleth in God, and God in him.

"And this commandment have we from him, That he who loveth God love his brother also."

Mr. Lewis then asked all present to join with him in silent prayer, followed by the repetition of The Lord's Prayer in unison.

Our Father which art in heaven,

Hallowed be Thy name.

Thy kingdom come.

Thy will be done on earth, as it is in heaven.

Give us this day our daily bread;

And forgive us our debts, as we forgive our debtors.

And lead us not into temptation, but deliver us from evil;

For Thine is the kingdom, and the power, and the glory, forever. Amen.

### Salute to the Flag

Mrs. Goodwin of Hollis led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Ford of Wolfeboro and Saunders of Nashua were granted leaves of absence for the day on account of important business.

Messrs. Tobey of Hampton, and Chadbourne of Lee were granted leaves of absence for the day on account of illness.

Mr. Sweeney of Keene was granted leave of absence for the week on account of illness in the family.

Mr. Kirk of Keene was granted an indefinite leave of absence on account of illness.

Mr. Hambleton of Goffstown was granted a leave of absence for two weeks on account of important business.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Black of Bennington, House Bill No. 440, an Act relative to the Laconia state school. To the Committee on Public Welfare and State Institutions.

By Mrs. Dondero of Portsmouth, House Bill No. 441, An Act relative to salaries for members of the trustees of trust funds for the city of Portsmouth. To the Committee composed of the members of the Portsmouth Delegation.

By Mr. Kenney of Franklin, House Bill No. 442, An Act relative to minimum wages of employees in public works. To the Committee on Labor.

By Rules Committee (Mr. Plumer of Bristol), House Bill No. 443, An act to legalize the annual meeting of the Bristol School District. To the Committee on Executive Departments and Administration.

By Rules Committee (Miss Spollett of Hampstead), House Bill No. 444, An Act legalizing the annual meeting in the town of Atkinson. To the Committee on Executive Departments and Administration.

### Printing Dispensed With

On motion of Mr. Rainie of Concord, the rules were suspended to dispense with the printing of House Bill No. 443, An Act to legalize the annual meeting of the Bristol School District and House Bill No. 444, An Act legalizing the annual meeting in the town of Atkinson.

### Committee Reports

Mr. Brown of Keene, for the Committee on Education, to whom was referred House Bill No. 273, An Act relative to school studies, having considered the same, reported the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 258, An Act relative to expiration date of trapping licenses, having considered the same, reported the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 280, An Act providing for a bounty on fox, having considered the same, reported the same with the following resolution,

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 106, An Act relative to wounding a human being while hunting, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Rathbone of Exeter, for the Committee on Judiciary, to whom was referred House Joint Resolution No. 25, Joint Resolution relative to a study of the problem of combining

towns and schools districts, having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mrs. Frizzell of Charlestown, for the Committee on Judiciary, to whom was referred Senate Bill No. 27, An Act relating to investment of trust funds by the First Unitarian Congregational Society of Nashua, New Hampshire, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Beamis of Somersworth, for the Committee on Judiciary, to whom was referred House Bill No. 109, An Act relative to the authority to issue licenses to carry concealed pistols and revolvers, having considered the same, reported the same with the following resolution.

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Colbath of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 117, An Act relative to payment of wages of a deceased person, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Payment Upon Affidavit.* Amend chapter 359 of the Revised Laws (chapter 560, RSA) by adding at the end thereof the following new sections: 20. *Payment of Wages to Surviving Spouse.* Any wages, salaries or commissions of a deceased person not exceeding five hundred dollars due from any employer shall be paid to the surviving spouse of the deceased employee without the necessity of administration of his estate. Provided, however, that the surviving spouse shall first file with the employer an affidavit stating that the person so affirming is the surviving spouse of the deceased employee. 21. *Liability.* An employer making payment in accordance with the

preceding section shall not be liable for the sum so paid to the estate of the deceased employee.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Craig of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Healy of Manchester, for the Committee on Judiciary, to whom was referred House Bill No. 214, An Act relative to requirement of financial responsibility after judgment of court, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 229, An Act relative to the authority of the public utilities commission, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words "any law or in" in the fifth and eighth lines; further amend said section by inserting after the word "state" in the sixth line the words, and by striking out the word "any" in the first line and inserting in place thereof the word, a; further amend said section by striking out the word "any" in the ninth line and inserting in place thereof the word, a, so that said section as amended shall read as follows:

1. *Public Utilities Commission.* Amend section 26 of chapter 289 of the Revised Laws (section 28, chapter 374, R S A) by inserting before the words "the commission" in the first line the following words: Notwithstanding any provision to the contrary contained in the charter granted to a public utility by the state, and by striking out the word "any" in the first line and inserting in place thereof the word, a, so that the said section as amended shall read as follows: 26. *Authority of Commission.* Notwithstanding any provision to the contrary contained in the charter granted to a public utility by the state, the commission may authorize a public utility to discontinue,



temporarily or during such portion of each year as the commission may deem expedient, any part of its service, whenever it shall appear that such temporary or seasonal discontinuance will not unreasonably inconvenience the public, or to discontinue the same permanently and remove the equipment essential to the same, whenever it shall appear that the public good does not require the further continuance of such service. The commission, upon its own motion or upon petition of any interested party, may make an order withdrawing from a public utility its authority to engage in business in all or any part of the territory in which it is authorized to operate, whenever it shall find after notice and public hearing that said utility has declined or unreasonably failed to render service in said territory or that its service in said territory is inadequate, no sufficient reason for such inadequacy appearing.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Faulkner of Keene spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Beamis of Somersworth, for the Committee on Judiciary, to whom was referred House Bill No. 230, An Act relative to the incontestability of a tax deed, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bloomfield of Claremont, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 120, An Act relating to holidays, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bloomfield of Claremont, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 140, An Act relating to the New Hampshire Veterans'

Association, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Green of Rollinsford, for the Committee on Public Health, to whom was referred House Bill No. 128, An Act providing for the registration of plumbers, having considered the same, reported the same with the following resolution:

*Resolved*, that the bill be referred to the Legislative Council for consideration and report to the 1957 legislature.

The report was accepted.

Mr. Willis of Salem moved that the bill, with accompanying report, be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Spaulding of Hudson and Cummings of Nashua, and Mrs. Brungot of Berlin spoke in favor of the motion.

Messrs. Green of Rollinsford and Pillsbury of Manchester spoke against the motion.

Mr. Pillsbury of Manchester called for a division.

A division being had, 245 members having voted in the affirmative, and 85 members having voted in the negative, the motion to indefinitely postpone prevailed.

### Reconsideration

Mr. Spaulding of Hudson moved that the House reconsider its vote whereby it voted to indefinitely postpone further action on House Bill No. 128, An Act providing for the registration of plumbers.

On a *viva voce* vote the motion to reconsider did not prevail.

Mrs. Willis of Salem, for the Committee on Public Health, to whom was referred House Bill No. 201, An Act relative to the fees of medical referees, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pinkham of Northwood, for the Committee on Public Health, to whom was referred House Bill No. 252, An Act relative to prerequisites for burial permits, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Peaslee of Wakefield, for the Committee on Public Health, to whom was referred House Bill No. 253, An Act requiring causes of death to be printed or typed on certificates of death, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Belcourt of Nashua, for the Special Committee consisting of the members from the city of Nashua, to whom was referred Senate Bill No. 55, An Act naming the Henri A. Burke Drive, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Belcourt of Nashua, for the Special Committee consisting of the delegation from the city of Nashua, to whom was referred House Bill No. 234, An Act to increase the salary of the justice of the Nashua municipal court, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 182, An Act relative to the use of rifles in shotgun towns.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of

the following entitled bills, sent up from the House of Representatives:

House Bill No. 77, An Act relative to destruction of old insurance records.

House Bill No. 202, An Act relative to forfeiture of devices used for illegal night hunting.

House Bill No. 219, An Act relative to elk.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 21, An Act relative to park commission of the city of Berlin.

Senate Bill No. 49, An Act relative to the taxation of personal property on land of another.

Senate Bill No. 56, An Act relative to compensation of the New Hampshire members of the Maine-New Hampshire Interstate Bridge Authority.

### **Senate Bills Read and Referred**

The following bills were read a first and second time and referred as follows:

Senate Bill No. 21, An Act relative to park commission of the city of Berlin.

To the Special Committee consisting of the delegation from the city of Berlin.

Senate Bill No. 49, An Act relative to the taxation of personal property on land of another.

To the Committee on Judiciary.

Senate Bill No. 56, An Act relative to compensation of the New Hampshire members of the Maine-New Hampshire Interstate Bridge Authority.

To the Committee on Appropriations.

### **Resolution**

Mr. Rathbone of Exeter offered the following resolution:

*Whereas*, we have learned with deep concern of the irreparable loss suffered by our fellow member, Colonel Edward C. Black and Mrs. Black when fire razed their beautiful home on Rythm Hill in Bennington, together with a lifetime collection of priceless mementoes and antiques, therefore be it

*Resolved*, that the members of the New Hampshire House of Representatives jointly and severally extend to our fellow member and his devoted wife our sincere and heartfelt sympathy, and be it further

*Resolved*, that the Clerk be instructed to forward a copy of this resolution to Colonel Black.

On a *viva voce* vote the resolution was adopted.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title and joint resolution by caption only, and when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 106, An Act relative to wounding a human being while hunting.

House Bill No. 117, An Act relative to payment of wages of a deceased person.

House Bill No. 120, An Act relating to holidays.

House Bill No. 140, An Act relating to the New Hampshire Veterans' Association.

House Bill No. 201, An Act relative to the fees of medical referees.

House Bill No. 214, An Act relative to requirement of financial responsibility after judgment of court.

House Bill No. 229, An Act relative to the authority of the public utilities commission.

House Bill No. 252, An Act relative to prerequisites for burial permits.

House Bill No. 253, An Act requiring causes of death to be printed or typed on certificates of death.

House Joint Resolution No. 25, Joint Resolution relative to a study of the problem of combining towns and school districts.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 27, An Act relating to investment of trust funds by the First Unitarian Congregational Society of Nashua, New Hampshire.



Senate Bill No. 55, An act naming the Henri A. Burque drive.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Bean of Webster at 12:23 o'clock the House adjourned.

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### WEDNESDAY, MARCH 16, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, Ruler of nations, we humbly bow before Thy throne this day and implore Thy guiding Spirit upon those who in legislative halls and council chambers are endeavoring to find a way of peace and friendly relationship among the nations of the world. Take from all peoples the spirit of aggression and enslavement; allay suspicion and mistrust, and remind them that Truth and Honor means the same the world over. Give to all mankind a new vision of the oneness of the world which Thou hast made. O God, we beseech Thee to hasten the day when nations everywhere "shall beat their swords into plowshares and their spears into pruning-hooks." We ask this in the name of the Prince of Peace, Jesus Christ. Amen.

### Salute to the Flag

Senator English of District No. 11 led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Gamache of Manchester and Skinner of Alton were granted leave of absence for Wednesday and Thursday on account of important business.

Mr. Tobey of Hampton was granted leave of absence for Wednesday and Thursday on account of illness.

Mr. Grandmaison of Nashua was granted leave of absence for the day on account of illness.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Rules Committee (Mr. Perley of Lebanon), House Bill No. 445, An Act relating to governmental securities under the sale of securities act. To the Committee on Judiciary.

By Rules Committee (Mr. Faulkner of Keene), House Bill No. 446, An Act relative to members of the county convention who are not members of the legislature. To the Committee on Municipal and County Government.

By Rules Committee (Mr. Angus of Claremont), House Bill No. 447, An Act amending the charter of the city of Claremont. To the Special Committee consisting of the Delegation from the city of Claremont.

By Rules Committee (Mr. Angus of Claremont), House Bill No. 448, An Act relating to the appeal board in public construction contracts. To the Committee on Labor.

By Rules Committee (Mr. O'Shan of Laconia), House Bill No. 449, An Act relative to insertion of names of veterans on check-lists. To the Committee on Military and Veterans' Affairs.

By Rules Committee (Mr. Converse of Pittsburg), House Bill No. 450, An Act relative to non-resident fishing licenses. To the Committee on Ways and Means.

By Rules Committee (Mr. Cilley of Concord), House Bill No. 451, An Act relative to the salary of the solicitor of Merrimack County. To the Special Committee consisting of the Delegation from the county of Merrimack.

By Rules Committee (Mr. Green of Rollinsford), House Bill No. 452, An Act relative to bread enrichment and oleomargarine. To the Committee on Public Health.

By Mr. Nelson of Concord, House Bill No. 453, An Act relating to the disposition of unclaimed property and making uniform the law with reference thereto. To the Committee on Executive Departments and Administration.

By Rules Committee (Mr. Scamman of Stratham), House Joint Resolution No. 44, Joint Resolution in favor of the Danbury Hospital, Danbury, Connecticut. To the Committee on Appropriations.

### Printing Dispensed With

On motion of Mr. Scamman of Stratham the rules were suspended to dispense with the printing of House Joint Resolution No. 44, Joint Resolution in favor of the Danbury Hospital, Danbury, Connecticut.

### Committee Reports

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 256, An Act relative to Class III recreational roads, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Public Works, to whom was referred House Bill No. 256, An Act relative to Class III recreational roads, having considered the same, and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

NED SPAULDING,  
WILLIAM M. FALCONER,  
ARTHUR F. ADAMS,  
*A Minority of the Committee.*

The report was accepted.

Mr. Rogers of Laconia spoke in favor of the report of the majority.

Mr. Spaulding of Hudson moved that the report of the minority, "ought to pass," be substituted for that of the majority, "inexpedient to legislate."

The question being on the motion.

(Discussion ensued)

Messrs. Spaulding of Hudson and Hadley of Hillsborough spoke in favor of the motion.

Mr. Jones of Francestown spoke against the motion.

On a *viva voce* vote the motion to substitute the minority report for that of the majority did not prevail.

The question being on the resolution of the committee, "inexpedient to legislate."

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Joint Resolution No. 26, Joint Resolution relative to dredging the Ammonoosuc river at Lisbon, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Miss Collyer of Lisbon moved that the bill be recommitted to the Committee on Public Works.

The question being on the motion to recommit.

(Discussion ensued)

Mesdames Collyer of Lisbon and Dondero of Portsmouth and Mr. Pickett of Keene spoke in favor of the motion.

Mr. Rogers of Laconia spoke against the motion.

On a *viva voce* vote the motion to recommit prevailed.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 4, An Act providing for local option for towns on the question of use of firearms in hunting deer in said towns, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Plumer of Bristol moved that the words "ought to pass" be substituted for the resolution of the committee, "inexpedient to legislate."

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Plumer of Bristol, Brown of Marlow and Ramsey of Alexandria spoke in favor of the motion.

Mr. Deans of Milford spoke against the motion.

On a *viva voce* vote the the motion prevailed.

Mr. Brown of Loudon called for a division.

A division being had, 216 members having voted in the affirmative, and 119 members having voted in the negative, the motion to substitute the words "ought to pass" prevailed.

Mr. Brown of Loudon moved that the bill be indefinitely postponed.

On a *viva voce* vote the motion did not prevail.

Mrs. DeLude of Unity offered the following amendment:

Amend section 1 by adding at the end thereof the following: Towns that adopt the local shot-gun option shall be provided with funds from the fish and game department for posting of their lines.

The question being on the amendment.

(Discussion ensued)

Mrs. DeLude of Unity spoke in favor of the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Scamman of Stratham moved that the bill be recommit-  
mitted to the Committee on Fish and Game.

The question being on the motion to recommit.

(Discussion ensued)

Mr. Scamman of Stratham, and Mrs. DeLude of Unity spoke in favor of the motion.

Messrs. Spaulding of Hudson and Gardner of Littleton spoke against the motion.

On a *viva voce* vote the motion to recommit did not prevail.

The bill was ordered to a third reading.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred House Bill No. 34, An Act relating to the use of facsimile signatures in the drawing of checks by the treasurers of public bodies, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Negotiable Instruments.* Amend chapter 366 of the Revised Laws (chapter 337, RSA) by inserting after section 18 the following new section: 18-a. *Use of Facsimile Signatures.* Any drawee of a check, draft or other order for the payment of money, in addition to any other rights which it may have, may pay and charge to the account upon which it is drawn any such check, draft or other order which (1) bears on the part of the drawer a facsimile signature, as hereinafter defined, of the drawer or a person who has been authorized by the drawer to sign such checks, drafts or other orders, which



is substantially similar to a specimen facsimile of the drawer's or such person's signature furnished by the drawer to the drawee, and (2) is invalid solely because such facsimile signature was affixed to such check, draft or other order without the authority of the person whose signature it is. Facsimile signature, as used in this section, shall mean any signature which has been imprinted or stamped by a facsimile signature machine, a rubber stamp or any other machine or device for the reproduction of a signature.

2. *State Treasurer.* Amend chapter 22 of the Revised Laws (chapter 6, RSA) by inserting after section 6 the following new section: 6-a. *Facsimile Signature.* The state treasurer, whether acting as such or as custodian of or disbursing agent for any other fund, including the unemployment compensation fund and the unemployment compensation and employment service administration fund, without further authority than that contained in this section, shall have power to use a facsimile machine for the purpose of affixing his signature to any check, draft or other order for the payment of money drawn by him in the name and behalf of the state or any such other fund.

3. *Director of Employment Security.* Amend chapter 218 of the Revised Laws (chapter 282, RSA) by adding at the end thereof the following new section: 20. *Facsimile Signature.* The director of employment security, without further authority than that contained in this section, shall have power to use a facsimile machine for the purpose of affixing his signature to any check, draft or other order for the payment of money drawn by him in the name and behalf of the unemployment compensation fund or the unemployment compensation and employment service administration fund.

4. *County Treasurer.* Amend chapter 48 of the Revised Laws (chapter 29, RSA) by inserting after section 2 the following new section: 2-a. *Facsimile Signature.* The county treasurer or any other disbursing officer of a county, when authorized to do so by the county commissioners, shall have power to use a facsimile machine for the purpose of affixing his signature to any check, draft or other order for the payment of money drawn by him in the name and behalf of the county.

5. *City Treasurer.* Amend chapter 65 of the Revised

Laws (chapter 48, RSA) by inserting after section 15 the following new section: 15-a. *Facsimile Signature*. The city treasurer or any other disbursing officer of a city, when authorized to do so by the city council or board of aldermen, shall have power to use a facsimile machine for the purpose of affixing his signature to any check, draft or other order for the payment of money drawn by him in the name and behalf of the city.

6. *Takes Effect*. This act shall take effect upon its passage.

The report was accepted, and the amendment laid upon the table under Rule 48.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred Senate Bill No. 28, An Act relative to building and loan associations, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Thurlow of Hampton Falls, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 274, An Act relating to the sale of unlicensed dogs by humane societies, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title by striking out the words "Sale of" and inserting in place thereof the words, Title to, so that said title as amended shall read as follows: An act relating to the title to unlicensed dogs by humane societies.

Amend the sub-title of 22-a, as inserted by section 1 by striking out the words "Sale of" and inserting in place thereof the words, Title to, so that said sub-title shall read as follows: 22-a. *Title to Unlicensed Dogs by Humane Societies*.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 279, An Act relative to the fee for sealing and stamping beaver skins, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by inserting after the figure "9" in the third line the words, Stamping; Sale of Skins; further amend by striking out the words, "one dollar" in the seventh and eighth lines and inserting in place thereof the words, seventy-five cents, so that said section as amended shall read as follows: 1. *Beaver Skins*. Amend section 9, chapter 244, Revised Laws, (section 8, chapter 210, RSA) by striking out said section and inserting in place thereof the following: 9. *Stamping; Sale of Skins*. Whenever a person shall lawfully take beaver during the open season as provided in sections 6 and 8 he shall present the skin of such beaver, within ten days from the closing of said open season, to a conservation office who shall stamp or seal the same upon receipt of a fee of seventy-five cents. Beaver skins lawfully taken, stamped or sealed may be bought and sold.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Baker of Stewartstown, for the Committee on Labor, to whom was referred House Bill No. 207, An Act relative to unemployment compensation for employees of the state and of political subdivisions and instrumentalities thereof, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend sub-section A-1 of section 6 of chapter 218 of the Revised Laws, as inserted by section 4 of the bill, by striking out said sub-section and inserting in place thereof the following:

A-1. *Payment of Contributions by this State*. All other provisions of this chapter to the contrary notwithstanding, the liability of this state for benefits paid shall be as follows: In lieu of contributions required of other employers subject to this chapter the state shall pay into the unemployment compensation fund an amount equivalent to the amount of benefits paid to claimants who during the applicable base period were paid wages by this state. If a claimant during such base period was employed by this state and other employers subject to the provisions of this chapter, the amount to be paid into the unemployment compensation fund by this state with respect to such claimant shall be an amount equal to the amount of benefits paid to such claimant in addition to such amount as the

claimant was entitled to receive on the basis of the wages paid to such claimant by such other employers. The amount of payments required under this section to be made into the fund shall be ascertained by the director of the division of employment security as soon as practicable after the end of each calendar month and shall upon warrant by the governor be payable from the general fund of the state, out of any money not otherwise appropriated, except as provided hereafter. If a claimant to whom benefits were paid was paid wages by the state during the base period from a special administrative fund provided for by law, into which monies, in addition, or other than, from the state treasury, are placed, the payment into the unemployment compensation fund shall be made from such special administrative fund in the regular manner provided for disbursing such money. The payment by the state into the fund shall be made at such times and in such manner as the director of the Division of employment security, with the approval of the state comptroller, may determine and prescribe. The state shall not be required to maintain a record of the Social Security Account numbers of its employees.

The report was accepted.

Reading of the amendment having commenced, on motion of Mr. Angus of Claremont, further reading was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill was referred to the Committee on Appropriations under the rules.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 175, An Act to prevent the interruption of municipal services and to continue good relations existing between the New Hampshire municipalities and their employees, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred House Bill No. 86, An Act relative



to tractors or trucks used on snow and snowmobiles, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Sleeper of Haverhill moved that the bill be recommit-  
mitted.

On a *viva voce* vote the motion to recommit prevailed.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred House Bill No. 242, An Act relative to outside rear vision mirrors on motor vehicles, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Phelps of Andover, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 68, An Act relative to water pollution, reclamation projects, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### **Report of Committee on Engrossed Bills**

Mrs. Palmer of Plaistow, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bills:

House Bill No. 77, An Act relative to destruction of old insurance records.

House Bill No. 98, An Act providing for a constitutional convention.

House Bill No. 134, An Act to provide for the perambulation of the Maine and New Hampshire boundary line.

House Bill No. 148, An Act to authorize summary procedure for judgment in actions of contract to which there is no defense.

House Bill No. 150, An Act to authorize administration of small estates upon giving bond without sureties.

House Bill No. 202, An Act relative to forfeiture of devices used for illegal night hunting.

House Bill No. 219, An Act relative to elk.

The report was accepted.



**Communication****DEPARTMENT OF EDUCATION**

State of New Hampshire

HONORABLE CHARLES GRIFFIN

Speaker of the House of Representatives

State House

Concord, New Hampshire

*Dear Mr. Griffin:*

The State Board of Education at its regular meeting on March 15, 1955, approved the report of a Special Study on State Wards and Foster Children, and have authorized me to transmit it to the House of Representatives through your office.

The Department is prepared to answer any questions or supply any additional data which may be helpful to any of the Committees of the House.

Sincerely yours,

AUSTIN J. McCAFFREY,  
*Commissioner of Education.*

**Senate Message**

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 98, An Act providing for a constitutional convention.

House Bill No. 134, An Act to provide for the perambulation of the Maine and New Hampshire boundary line.

House Bill No. 148, An Act to authorize summary procedure for judgment in actions of contract to which there is no defense.

House Bill No. 150, An Act to authorize administration of small estates upon giving bond without sureties.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 35, An Act to provide for the publication and distribution of the Revised Statutes Annotated of the State of New Hampshire.

Senate Bill No. 52, An Act relative to increasing certain penalties.

Senate Bill No. 60, An Act relating to the return day of executions issued by the superior court.

### **Senate Bills Read and Referred**

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

By Senator Matthews of District No. 5, Senate Bill No. 35, An Act to provide for the publication and distribution of the Revised Statutes Annotated of the State of New Hampshire. To the Committee on Judiciary.

By Senator Packard of District No. 16, Senate Bill No. 52, An Act relative to increasing certain penalties. To the Committee on Judiciary.

By Senator Keller of District No. 6, Senate Bill No. 60, An Act relating to the return day of executions issued by the Superior Court. To the Committee on Judiciary.

### **Resolution**

On motion of Mrs. Palmer of Plaistow the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### **Third Readings**

House Bill No. 4, An Act providing for local option for towns on the question of use of firearms in hunting deer in said towns.

House Bill No. 68, An Act relative to water pollution, reclamation projects.

House Bill No. 274, An Act relating to the sale of unlicensed dogs by humane societies.

House Bill No. 279, An Act relative to the fee for sealing and stamping beaver skins.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 28, An Act relative to building and loan associations.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Fontaine of Berlin at 12:50 o'clock the House adjourned.

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THURSDAY, MARCH 17, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty and everlasting God, who didst give to Thy servant, Saint Patrick such grace as to bring an idolatrous nation to accept Christianity, we earnestly thank Thee for this outstanding example of Christian piety, courage, faith and endeavor. In these days when materialism, physical power and wealth, have, to only too many in this Christian land, become an idol of unholy devotion, grant to us, O God, a baptism of the spirit of Thy saint of old. Give us that faith that bound him to Thee amid all the trials and tribulations of life; give us that courage that knows no defeat; give us that spirit of endeavor, that we may make a better place for posterity to enjoy. And above all give us the vision of this man of God. Through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mr. Hurley of Manchester led the convention in the salute to the flag.

### Observance of St. Patrick's Day

St. Patrick's Day was observed by the presentation of a bouquet of green pinks to the Speaker, presented by Mrs. Brungot of Berlin and Senator Caron of Manchester, on behalf of the women legislators, also by a short address given by Mr. Geisel of Manchester and Irish songs led by Mr. Bouvier of Swanzev.

### Leaves of Absence

Mr. McCullough of Keene was granted leave of absence for the day on account of death in the family.

Mr. Pierce of Plainfield was granted leave of absence for the day on account of important business.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows :

By Rules Committee (Mr. Chadbourn of Lee), House Bill No. 454, An Act relating to building reserve and schoolhouses of the former Lee School District. To the Committee on Executive Departments and Administration.

By Mr. Angus of Claremont, House Bill No. 455, An Act to repeal the classification of Little Sugar river under water pollution provisions. To the Committee on Resources, Recreation and Development.

By Mr. Willey of Campton, House Bill No. 456, An Act relative to wholesalers and retailers of beverages. To the Committee on Liquor Laws.

By Mr. Pappagianis of Nashua, House Bill No. 457, An Act providing for a study of the jurisdiction of municipal courts or district courts. To the Committee on Executive Departments and Administration.

By Mrs. Holmes of Amherst, House Bill No. 458, An Act relating to regular sessions of the Hillsborough county probate court. To the Committee on Judiciary.

By Mr. Horan of Manchester, House Bill No. 459, An Act relative to unemployment compensation successorship merit rating for public utilities. To the Committee on Labor.

By Mr. Boisvert of Manchester, House Joint Resolution No. 45, Joint Resolution relative to investigation of certain election laws in the city of Manchester. To the Special Committee consisting of the Delegation from the city of Manchester.

By Mr. Lesmerises of Manchester, House Joint Resolution No. 46, Joint Resolution relative to a study of the ward lines of the city of Manchester. To the Special Committee consisting of the Delegation from the city of Manchester.

### Printing Dispensed With

On motion of Mr. Pillsbury of Manchester the rules were suspended to dispense with the printing of House Bill No. 454,

An Act relating to building reserve and schoolhouses of the former Lee School District.

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate bills:

Senate Bill No. 27, An Act relating to investment of trust funds by the First Unitarian Congregational Society of Nashua, New Hampshire.

Senate Bill No. 55, An Act naming the Henri A Burque Drive.

The report was accepted.

### **Committee Reports**

Mr. Rogers of Laconia, for the Committee on Public Works, to which was referred House Joint Resolution No. 22, Joint Resolution in favor of the town of Wilmot, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Faulkner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 238, An Act providing for statements in connection with nolle prosequi of prosecution, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 263, An Act relative to rights of way established by prescription or adverse possession, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.



Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 248, An Act relative to perpetual inventory records and the transfer of unused supplies and equipment, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words "departmental and institutional heads in relation to the establishment and maintenance of perpetual inventory records of plants and equipment" in lines six, seven and eight, and inserting in place thereof the following: state agencies in relation to the establishment and maintenance by the agency of a perpetual inventory record system for plant and equipment. Annually each state agency shall report to the director in such form as he may require to maintain a central inventory record of plant and equipment owned by the state, so that said section as amended shall read as follows:

1. *Perpetual Inventory Records and Transfer of Unused Supplies and Equipment.* Amend paragraphs XI and XII of section 17, of chapter 23A of the Revised Laws as inserted by section 1 of part 6 of chapter 5 of the Laws of 1950 (paragraphs XI, XII, section 19, chapter 8 RSA) by striking out said paragraphs and inserting in place thereof the following: XI. Advise with state agencies in relation to the establishment and maintenance by the agency of a perpetual inventory record system for plant and equipment. Annually each state agency shall report to the director in such form as he may require to maintain a central inventory record of plant and equipment owned by the state: XII. Transfer unused supplies and equipment from one department or agency to another where needed and determine the value thereof; where such unused supplies and equipment cannot be so transferred, provide for disposal to the public by competitive bid whenever the estimated value of any unit or total of units is one hundred dollars or more, otherwise in such manner as appears to be in the best interest of the state.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

### Report of Committee of Conference

The Committee of Conference, to whom was referred

House Bill No. 73, An Act to regulate the sale and distribution of mixed fertilizers and fertilizing material in the state, having considered the matter, recommends that the House recede from its position of non-concurrence in the amendments sent down from the Honorable Senate; further recommends that the Senate recede from its position in the adoption of the amendment to the bill; and that the House and Senate concur in the adoption of the following amendment:

Amend paragraph (g) of section 3 of chapter 228 of the Revised Laws as inserted by section 1 of said bill by inserting at the end thereof the words, By permission of the commissioner, a fourth plant food element may be expressed in the grade and shall mean magnesium oxide, so that said paragraph (g) as amended shall read as follows:

(g) The term "grade" means the minimum percentage of total nitrogen, available phosphoric acid and soluble potash stated in the order given in this definition and, when applied to mixed fertilizers, shall be in whole numbers only. By permission of the commissioner, a fourth plant food element may be expressed in the grade and shall mean magnesium oxide.

DORIS M. SPOLLETT,  
GEORGE F. CLEMENT,  
JOHN D. CORNELIUS,

*Conferees on the Part of the House.*

DANIEL A. O'BRIEN,  
J. LABAN AINSWORTH,

*Conferees on the Part of the Senate.*

On motion of Miss Spollett of Hampstead the House voted to agree to the report of the Committee of Conference.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 130, An Act relating to the Sandwich Notch and Dale road in the towns of Sandwich and Thornton.

House Bill No. 157, An Act relative to the military rank of the adjutant-general.

House Bill No. 169, An Act to secure the rights of mortgagees in highway land damage cases.

The message further announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 53, An Act relative to courts-martial in the national guard.

Senate Bill No. 63, An Act relating to reports of register of deeds.

The message also announced that the Senate had passed the following joint resolution, in the passage of which it asks the concurrence of the House of Representatives:

Senate Joint Resolution No. 2, Joint Resolution relating to the placement of certain obsolete artillery.

### **Senate Bills and Joint Resolution Read and Referred**

The following bills and joint resolution were severally introduced, read a first and second time, and referred as follows:

By Senator Adams of District No. 22, Senate Bill No. 53, An Act relative to courts-martial in the national guard. To the Committee on Military and Veterans' Affairs.

By Senator Paquette of District No. 13, Senate Bill No. 63, An Act relating to reports of register of deeds. To the Committee on Executive Departments and Administration.

By Senator Caron of District No. 17, Senate Joint Resolution No. 2, Joint Resolution relating to the placement of certain obsolete artillery. To the Committee on Military and Veterans' Affairs.

### **Resolutions**

Mr. Bennett of Keene offered the following resolution:

*Whereas*, Samuel McCullough, father of James E. McCullough, Representative from Keene, has passed away, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, express our sympathy to our fellow member in his bereavement, and be it further

*Resolved*, that the Clerk of the House transmit a copy of these resolutions to Representative McCullough.

On a *viva voce* vote the resolution was adopted.

Mr. Ecker of Manchester offered the following resolution:

*Whereas*, through the vision and courage of St. Patrick, the blessings and light of Christianity were brought to a pagan Ireland, and

*Whereas*, today, March 17th, millions of people throughout the English speaking world are celebrating his birthday, and

*Whereas*, the culture of the Irish nation has been disseminated by her scholars, teaching in the Universities of Europe in the middle ages; and

*Whereas*, the songs and the melodies of the Irish, as well as the prose and poetry of the Gaelic minstrels have become part and parcel of the endearing charms of the Irish heritage; and

*Whereas*, our first president, George Washington, himself commended the Irish for their conspicuous contributions to the success of the American Revolution of 1775, and the sons and daughters of Irish lineage have continued to play valiant parts in the defense of the United States in all conflicts in which our country has been engaged; and

*Whereas*, such personalities as Charles Carroll, Chief Justice Andrew White and Alfred E. Smith have advanced the cause of political freedom, therefore be it

*Resolved*, by this House of Representatives of the State of New Hampshire in the year of our Lord, one thousand nine hundred and fifty-five, do hereby pay just recognition to the contributions that the sons and daughters of "old Erin" have made to this, our country, and be it further

*Resolved*, that the House, as testimony to its recognition of all the good, the great and the noble in the aspirations and dreams of Ireland's achievement and of her priceless contributions to the American heritage, do hereby request that these sentiments be spread upon its records by the Speaker.

On a *viva voce* vote the resolution was adopted.

### Resolution

On motion of Mr. Pickett of Keene the rules were suspended to allow business in order at 3:00 o'clock to be in

order at the present time, that third readings of bills be by title only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### **Third Reading**

House Bill No. 248, An Act relative to perpetual inventory records and the transfer of unused supplies and equipment.

Read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Davis of Concord at 11:56 o'clock the House adjourned.

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TUESDAY, MARCH 22, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

"Train up a child in the way he should go; and when he is old he will not depart from it."

Almighty God, the Source of light and wisdom, we beseech Thy blessing upon the schools and colleges of this land, and particularly those of this state. Guide the thousands of young men and women, boys and girls, who today are preparing to become leaders in the service of mankind tomorrow. Endue these young men and women with a deep sense of that fundamental truth, that education is not complete without Thee. Our Father and Teacher, we especially beseech Thee to guide those who teach in our schools and institutions of learning, that they may realize that they teach by their lives as well as from the printed page. In the name of Jesus Christ our Lord. Amen.

### **Salute to the Flag**

Mrs. Fontaine of Berlin led the convention in the salute to the flag.

### **Leaves of Absence**

Messrs. Peaslee of Merrimack and Ingham of Winchester and Mrs. Hayden of Ossipee were granted leave of absence for the week on account of illness.



Mr. Sweeney of Keene was granted leave of absence for the week on account of illness in the family.

Mr. Weeks of Wolfeboro was granted leave of absence for Tuesday and Wednesday on account of illness.

Mr. Nelson of Goshen was granted leave of absence for the day on account of illness.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Mr. Bardol of Wilton), House Bill No. 460, An Act legalizing the annual meeting of the Lyndeborough school district. To the Committee on Executive Departments and Administration.

By Mr. Downs of Conway, Mr. Hancock of Concord and Mr. Hunter of Hampton, House Bill No. 461, An Act providing for the registration of electricians. To the Committee on Executive Departments and Administration.

By Mr. Geisel of Manchester, House Bill No. 462, An Act relating to investments of savings banks. To the Committee on Banks.

By Mr. Danforth of Manchester, House Bill No. 463, An Act providing for the election of public utilities commissioners. To the Committee on Judiciary.

By Mrs. Dondero of Portsmouth and Mrs. Sadler of Portsmouth, House Bill No. 464, An Act relative to membership of the board of registrars for the city of Portsmouth. To the Special Committee consisting of the Delegation from the city of Portsmouth.

By Mr. Pickett of Keene, House Bill No. 465, An Act relative to elections for Union School District in the City of Keene. To the Special Committee consisting of the Delegation from the city of Keene.

By Mr. Kenney of Franklin, House Bill No. 466, An Act relating to transportation of school children and operators of school buses. To the Committee on Transportation.

By Mr. Fortin of Greenville, House Bill No. 467, An Act relative to certain so-called comic books. To the Committee on Executive Departments and Administration.

By Mrs. Goodwin of Hollis, House Bill No. 468, An Act relative to old age and survivors' insurance coverage and the administration thereof. To the Committee on Judiciary.

By the Committee on Rules (Mr. Alls of Colebrook), House Bill No. 469, An Act legalizing the proceedings at the annual town meeting in Colebrook. To the Committee on Executive Departments and Administration.

By Mr. Barney of Rumney, House Joint Resolution No. 47, Joint Resolution relative to camp ground at Crawford Notch State Park. To the Committee on Resources, Recreation and Development.

By Mr. Sawyer of Woodstock, House Joint Resolution No. 48, Joint Resolution relative to a certain road between Holder-ness and North Woodstock. To the Committee on Public Works.

### Printing Dispensed With

On motion of Mr. Rainie of Concord, the rules were suspended to dispense with the printing of House Bill No. 460, An Act legalizing the annual town meeting of the Lyndeborough school district, and House Bill No. 469, An Act legalizing the proceedings at the annual town meeting in Colebrook.

### Committee Reports

Mr. Crandall of Dover, for the Committee on Banks, to whom was referred House Bill No. 394, An Act relative to annual reports by small loan licensees, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by inserting after section 1 of said bill the following new section:

2. *Small Loan Licenses.* Amend section 6 of chapter 319 of the Revised Laws (chapter 399, section 6, R S A) by striking out said section and inserting in place thereof the following:  
6. *Issue and Denial.* Upon the filing of such application, the approval of said bond and the payment of said fee, the commissioner shall, if the applicant is safe, reliable and entitled to

confidence and if the commissioner finds that allowing the applicant to engage in business will promote the convenience and advantage of the community in which the business of the applicant is to be conducted shall issue a license to the applicant to make loans in accordance with the provisions of this chapter. Such license shall not be assigned. If the commissioner shall not so find, he shall enter an order denying such application and forthwith notify the applicant of the denial, returning the license fee. Within ten days after the entry of such an order he shall put in writing his findings and a summary of the evidence supporting them and shall forthwith deliver a copy thereof to the applicant and retain the original thereof on file.

2. Amend section 2 of said bill by striking out the same and inserting in place thereof the following: 3. *Takes Effect.* This act shall take effect April 1, 1955.

The report was accepted, and the amendment laid upon the table under rule 48.

Mr. Crandall of Dover, for the Committee on Banks, to whom was referred House Bill No. 283, An Act relative to the charter of the Dartmouth Savings Bank at Hanover, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ford of Wolfeboro, for the Committee on Education, to whom was referred House Bill No. 160, An Act relative to state aid for school transportation, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Parmenter of Londonderry, for the Committee on Education, to whom was referred House Bill No. 266, An Act relating to transportation of school children, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Vaughan of Newport, for the Committee on Education, to whom was referred House Bill No. 162, An Act relative to teachers' minimum salaries, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the adoption of the resolution of the committee.

Mrs. Travis of Portsmouth moved that the words "ought to pass" be substituted for the resolution of the committee.

The question being on the motion to substitute the words "ought to pass."

(Discussion ensued)

Mrs. Travis of Portsmouth and Mr. Craig of Manchester spoke in favor of the motion.

Mr. Vaughan of Newport spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee.

On a *viva voce* vote the resolution of the committee, inexpedient to legislate, was adopted.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 302, An Act relative to fees for stamping beaver skins, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by existing legislation.

The report was accepted and the resolution of the committee adopted.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 272, An Act relative to sale of pheasants for resale, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section by inserting after the word "food" in the fourth line the words, to hotels, restaurants and food stores; further amend by inserting after the word "director" in the sixth line the words, at a nominal fee, so that said section as amended shall read as follows:

1. *Pheasants.* Amend chapter 246 of the Revised Laws (chapter 212, R S A) by inserting after section 24 the following new section: 24-a. *Sale of.* Pheasants raised by any such license may be possessed, bought and sold for use as food, to hotels, restaurants, and food stores, provided, however, that there shall be attached to each pheasant or part thereof so possessed, bought or sold a special tag, provided by the director at a nominal fee, which tag shall remain attached to the pheasant or part thereof until immediately prior to cooking.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 288, An Act relative to the open season for taking fur-bearing animals, having considered the same, reported the same with the following amendment, and recommended that the bill as amended ought to pass.

Amend section 1 by striking out the word "tenth" in the fifth line and inserting in place thereof the word, first, so that said section as amended shall read as follows: 1. *Fur-bearing Animals; Open Season.* Amend section 1 of chapter 244 of the Revised Laws (section 1, chapter 210, RSA) by striking out said section and inserting in place thereof the following: 1. *Otter, Mink, etc.* Otter, mink, skunk, or muskrat may be taken and possessed from November first to February first.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 292, An Act relative to trolling with large spinners in reclaimed ponds, having considered the same, reported the same with the following amendments, and recommended that the bill as amended ought to pass.

Amend the title by inserting after the word "reclaimed" the word, trout, so that said title as amended shall read as follows:

An Act relative to trolling with larger spinners in reclaimed trout ponds.



Amend section 1 by inserting after the word "Reclaimed" in the first line the word, Trout, and by striking out the words "No person shall use, have in his possession for use or furnish for another's use a large multiple spinner having more than one blade or a single blade longer than one inch when trolling for fish on reclaimed ponds," in the third, fourth, fifth, and sixth lines, and inserting in place thereof, the words, No person shall use a spinner or spinners, total combined length of all blades not to exceed four inches, when trolling for fish in reclaimed trout ponds, so that said section as amended shall read as follows: 1. *Fishing on Reclaimed Trout Ponds.* Amend chapter 245 of the Revised Laws (chapter 211, RSA) by inserting after section 37 the following new section: 37-a. *Prohibited Devices.* No person shall use a spinner or spinners, total combined length of all blades not to exceed four inches, when trolling for fish in reclaimed trout ponds. Whoever violates any of the provisions of this section shall be fined twenty-five dollars and the director shall suspend his fishing license for a period of one year. The provisions of this section shall not be construed as affecting fly fishing in regular ponds.

The report was accepted, the amendments adopted, and the bill ordered to a third reading.

Mr. Craig of Manchester, for the Committee on Judiciary, to whom was referred Senate Bill No. 46, An Act relating to writs and their endorsement, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Frizzell of Charlestown, for the Committee on Judiciary, to whom was referred House Bill No. 318, An Act to amend the religious corporations law in relation to the incorporation of Orthodox parishes, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Waterhouse of Windham, for the Committee on Ways and Means, to whom was referred House Bill No. 145, An Act relating to an equalized average income tax rate, having con-

sidered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Nadeau of Rochester, for the Committee on Ways and Means, to whom was referred House Bill No. 144, An Act relative to the rate of tax on interest and dividends, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

### **Taken from the Table Under Rule 48**

House Bill No. 34, An Act relating to the use of facsimile signatures in the drawing of checks by the treasurers of public bodies, was taken from the table.

The question being on the amendment offered by the Committee on Banks, to be found in the Journal of March 16.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

### **Senate Message**

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 73, An Act to regulate the sale and distribution of mixed fertilizers and fertilizing material in the state.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

House Bill No. 1, An Act providing for the assessment and collection of a special head tax for state purposes.

House Bill No. 89, An Act relative to manner of driving motor vehicles, hand signals.

House Joint Resolution No. 1, Joint Resolution in favor of Harry J. Ring.

House Bill No. 73, An Act to regulate the sale and dis-

tribution of mixed fertilizers and fertilizer material in the state.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 124, An Act increasing the fee for registration of trade names and partnerships.

Amend said bill by inserting after section 1 the following new section:

2. *Secretary of State.* Amend chapter 186 of the Revised Laws (chapter 349 RSA) by inserting after section 5 the following new section: 5-a. *Re-registration.* After the expiration of ten years from the registration hereunder the secretary of state shall notify the registrant that in order to maintain the use of the trade name the same must be re-registered. The fee for such re-registration shall be one dollar, each.

Further amend said bill by renumbering section 2 to read section 3 and by striking out the words "upon its passage" and inserting in place thereof the date, July 1, 1955, so that said section as amended shall read as follows:

3. *Takes Effect.* This act shall take effect July 1, 1955.

On motion of Mr. Rowell of Newport the House voted to concur in the Senate amendments.

The bill was sent to the Secretary of State to be engrossed.

House Bill No. 88, An Act relative to penalty for failure to surrender motor vehicle license, registration or number plate upon demand.

Amend said bill by inserting after section 1 thereof the following new section:

2. *Motor Vehicles.* Amend section 7-a of chapter 116 of the Revised Laws, as inserted by chapter 81 of the Laws of 1953, and as amended by chapter 28 of the Laws of 1955, (section 10, chapter 260, RSA) by inserting after the words, "members of the senate" the words, or their spouse, by inserting after the words "members of the house of representatives" the words, or their spouse, and by inserting after the

words "his deputy" the words, aides-de-camp to the governor, county sheriffs and their deputies, so that said section as amended shall read as follows: 7-a. *Special Number Plates.* Upon payment of motor vehicle registration fee, if any, the motor vehicle commissioner may issue a special plate, to be designated by him, to be affixed to the vehicle of the governor, the members of the governor's council, president of the senate, members of the senate or their spouse, speaker of the house of representatives, members of the house of representatives or their spouse, the attorney general and his deputy, aides-de-camp to the governor, county sheriffs and their deputies, and vehicles of state police and motor vehicle departments. Said special plates shall be issued at no cost to the state other than those plates furnished to the governor, the members of the governor's council, the president of the senate, speaker of the house of representatives, state police and motor vehicle departments.

Further amend the bill by renumbering section 2 to read section 3.

Mr. Pickett of Keene moved that the House non-concur in the Senate amendments and asked for a Committee of Conference.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Messrs. Jones of Lebanon, Willey of Campton and Pickett of Keene.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 37, An Act continuing the commission to study the use of assigned television channels for educational purposes.

Senate Bill No. 61, An Act providing special fees for privately owned school buses.

### **Senate Bills Read and Referred**

Senate Bill No. 37, An Act continuing the commission to study the use of assigned television channels for educational purposes.

Read a first and second time and referred to the Committee on Education.

Senate Bill No. 61, An Act providing special fees for privately owned school buses.

Read a first and second time and referred to the Committee on Transportation.

### **Report of Committee on Engrossed Bills**

Mr. Ballentine of Laconia, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House and Senate bills, and joint resolutions:

Senate Bill No. 28, An Act relative to building and loan associations.

House Bill No. 73, An Act to regulate the sale and distribution of mixed fertilizers and fertilizer material in the state.

House Bill No. 89, An Act relative to manner of driving motor vehicles, hand signals.

House Bill No. 130, An Act relating to the Sandwich Notch and Dale road in the towns of Sandwich and Thornton.

House Bill No. 157, An Act relative to the military rank of the adjutant-general.

House Bill No. 169, An Act to secure the rights of mortgagees in highway land damage cases.

House Joint Resolution No. 1, Joint Resolution in favor of Harry J. Ring.

House Bill No. 1, An Act providing for the assessment and collection of a special head tax for state purposes.

The report was accepted.

### **Resolutions**

Mr. Roy of Berlin offered the following resolution:

*Whereas*, Alfred Tondreau, father of Aime Tondreau, Mayor of the City of Berlin, has passed away, therefore be it

*Resolved*, that we, the members of the Berlin Delegation of the House of Representatives of the New Hampshire Legislature, hereby extend our deep sympathy to Mayor Tondreau in his bereavement, and be it further

*Resolved*, that the Clerk of the House transmit to Mayor Tondreau a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.



Mr. Schricker of Manchester offered the following resolution:

*Whereas*, John J. Kearns, representative from Manchester, is seriously ill at his home, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, hereby extend to our fellow member our sympathy in his illness and our best wishes for a speedy recovery to health, and be it further

*Resolved*, that the Clerk of the House transmit to Representative Kearns a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Reading

House Bill No. 34, An Act relating to the use of facsimile signatures in the drawing of checks by the treasurers of public bodies.

House Bill No. 272, An Act relative to sale of pheasants for resale.

House Bill No. 283, An Act relative to the charter of the Dartmouth Savings Bank at Hanover.

House Bill No. 288, An Act relative to the open season for taking fur-bearing animals.

House Bill No. 292, An Act relative to trolling with large spinners in reclaimed trout ponds.

House Bill No. 318, An Act to amend the religious corporations law in relation to the incorporation of Orthodox parishes.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 46, An Act relating to writs and their endorsement.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Ramsdell of Nashua at 12:27 o'clock the House adjourned.

WEDNESDAY, MARCH 23, 1955

The House met at 11 o'clock.

Prayer was offered by Guest Chaplain, Norman R. Farnum, Jr., Minister, the First Congregational Church, Walpole, New Hampshire.

O God, unto Thee do we lift our hearts in earnest prayer this morning. With Thanksgiving we invoke Thy blessing upon our endeavors at this time. Deliver us from all pettiness of argument and put within us the sincere quest for truth. Lift us above all selfish interests and the desire for personal glory that we may set our minds upon the real affairs of state. Renew within the hearts of the members of this General Court their vow to be the servant of the common good.

And gracious heavenly Father,—in all the deliberations and decisions which are made here may the faith of our constituents in our sincere loyalty be kept inviolate. Amen.

### **Salute to the Flag**

Mr. Sherwin of Rindge led the convention in the salute to the flag.

### **Leaves of Absence**

Messrs. Karagianis of Laconia and Spaulding of Hudson were granted leave of absence for the day on account of important business.

Mrs. Saltmarsh of Concord was granted leave of absence until further notice on account of death in the family.

Mr. Merrill of Exeter was granted leave of absence for the day on account of illness.

### **Recess**

The Speaker introduced to the House, Mr. Bernard Boutin, Mayor of Laconia, who addressed the House briefly.

### **After Recess**

### **Introduction of Bills**

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Pickett of Keene, House Bill No. 470, An Act relative to ward lines of the city of Keene. To the Special Committee consisting of the Delegation from the city of Keene.

By Committee on Rules (Mrs. Atwood of Sanbornton), House Bill No. 471, An Act establishing certain positions at the state hospital. To the Committee on Public Welfare and State Institutions.

By Mr. Kelley of Littleton, House Bill No. 472, An Act relative to membership of the Fish and Game Commission. To the Committee on Fish and Game.

By Mrs. Holmes of Amherst, House Bill No. 473, An Act relative to erection of so-called historical signs. To the Committee on Executive Departments and Administration.

By Mr. Spaulding of Hudson, House Bill No. 474, An Act relative to lay out of class I and II highways and assessment of damages. To the Joint Committee consisting of Judiciary and Public Works.

By Committee on Rules (Mr. O'Shan of Laconia), House Bill No. 475, An Act relative to salaries of various Belknap county officials. To the Special Committee consisting of the Delegation from the county of Belknap.

By the Committee on Rules (Mr. Skinner of Alton), House Bill No. 476, An Act legalizing certain district meetings of the Alton School District. To the Committee on Executive Departments and Administration.

### **Printing Dispensed With**

On motion of Mr. Rainie of Concord the rules were suspended to dispense with the printing of House Bill No. 476, An Act legalizing certain district meetings of the Alton School District.

### **Committee Reports**

Mr. Cole of Lebanon, for the Committee on Appropriations, to whom was referred House Bill No. 70, An Act relative to the payment of forest fire expenses, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Billings of Westmoreland, for the Committee on Appropriations, to whom was referred House Bill No. 71, An Act relative to reimbursement of municipalities for forest fire expenses, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Belcourt of Nashua, for the Committee on Appropriations, to whom was referred House Bill No. 156, An Act to provide coverage for certain civilian employees of the national guard under the old age and survivors' insurance provision of Title II of the Federal Social Security Act, as amended, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bell of Plymouth, for the Committee on Appropriations, to whom was referred House Bill No. 342, An Act relative to the pay of the national guard, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 215, An Act relative to the posting of land adjacent to woodlands, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Rhodes of Walpole moved that the bill be recommitted to the Committee on Fish and Game.

On a *viva voce* vote the motion to recommit prevailed.

Mr. Chandler of Bartlett, for the Committee on Insurance, to whom was referred House Bill No. 225, An Act relating to repeal of motor vehicle liability bond provisions, having con-

sidered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Carr of Orford, for the Committee on Insurance, to whom was referred House Bill No. 284, An Act relative to the definition of group life insurance, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Bloomfield of Claremont, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 334, An Act relative to the observance of the memory of General Lafayette, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 16, An Act to promote safety on the highways by regulating access to state highways and roadside use, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out the words "to state highways and roadside use" and inserting in place thereof the words, from state highways to drive-in theatres, so that said title as amended shall read as follows:

An Act to promote safety on the highways by regulating access from state highways to drive-in theatres.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Safety of Highways.* Amend Part 19, chapter 90 of the Revised Laws by inserting after section 38, as inserted by chapter 188, Laws of 1945, the following new section:

39. *Drive-In Theatres.* I. *Prohibition.* It shall be unlawful to construct a drive-in theatre with direct access to or from any class I, II or III highway, without first obtaining a written permit from the commissioner of public works and high-



ways covering access provisions and such additional provisions as may be required to promote safety on the adjoining highways.

II. *Hearing.* Said commissioner is authorized to conduct a public hearing, if deemed that the public good requires, or the individual requesting permit files written demand for same, to be held before the commissioner or the deputy commissioner of public works and highways, and the commissioner of motor vehicles department and the superintendent of state police, or their authorized representatives, acting in an advisory capacity to the commissioner or deputy commissioner of public works and highways. Written notice of such hearing shall be given to the applicant or applicants, and the town authorities, and notice to the public posted in a public place in the town where construction is proposed, at least two weeks prior to date of hearing.

III. *Permit.* Said commissioner, with the advice of the commissioner of motor vehicles and superintendent of state police, may issue a permit in each case containing such requirements and provisions as will protect the safety of the travelling public. He may provide that the screen of a drive-in theatre be so placed as will prevent the view of the picture face of same from said highways or provide that suitable screening be placed as will obstruct said view if topography does not allow such placement. He may provide that in any location where the free flow of traffic from the highway to a drive-in theatre is prevented by the operation of ticket sellers, parking attendants or in any other manner, there shall be provided an adequate storage area for vehicles between the highway pavement and the location of ticket booths, parking area, or other cause of traffic stoppage and delay, to prevent backing up of vehicles on the highway pavement. He may provide that traffic control devices or warning signals be installed, meeting his approval, located within the establishment as well as similar devices controlling the state highway. Application for permit by the owner or owners shall be made at least sixty days before proposed construction. A plot plan of proposed establishment shall be included with the application for said permit.

IV. *Appeal.* Any party aggrieved by the decision of the

commissioner may appeal said decision under procedure as provided by chapter 414, Revised Laws.

V. *Penalty.* Whoever violates any provision of this section or the requirements or provisions of permits thereunder, shall be fined not more than one hundred dollars and shall cease operation of any offending establishment pending fulfillment of requirements and special provisions.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment laid upon the table under Rule 48.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 62, An Act relative to airport zoning.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 3 (in new draft), An Act relative to election campaign receipts and expenditures and their publication.

Senate Bill No. 50, An Act relative to orders for delinquent children and the jurisdiction of municipal courts.

### Senate Bills Read and Referred

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

By Senator Ferguson of District No. 14, Senate Bill No. 3 (in new draft), An Act relative to election campaign receipts and expenditures and their publication. To the Committee on Judiciary.

By Senator Packard of District No. 16, Senate Bill No. 50, An Act relative to orders for delinquent children and the jurisdiction of municipal courts. To the Committee on Executive Departments and Administration.

### Resolutions

Mr. Comi of Concord offered the following resolution:

*Whereas*, Donald W. Saltmarsh, former representative from Concord and son of Gertrude W. Saltmarsh, representative from Concord, has passed away, and

*Whereas*, he served several terms in the State Legislature and was a member of the Concord School Board for twelve years, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire State Legislature, hereby pay tribute to our former member for his services to his city and state, and extend our deepest sympathy to his family in its bereavement, and be it further

*Resolved*, that the Clerk of the House transmit to his widow and mother a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

### Resolution

On motion of Mrs. Reney of Grantham the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Reading

House Bill No. 70, An Act relative to the payment of forest fire expenses.

House Bill No. 71, An Act relative to reimbursement of municipalities for forest fire expenses.

House Bill No. 156, An Act to provide coverage for certain civilian employees of the national guard under the old age and survivors' insurance provision of Title II of the Federal Social Security Act, as amended.

House Bill No. 225, An Act relating to repeal of motor vehicle liability bond provisions.

House Bill No. 284, An Act relative to the definition of group life insurance.

House Bill No. 334, An Act relative to the observance of the memory of General Lafayette.

House Bill No. 342, An Act relative to the pay of the national guard.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Dustin of Rochester at 11:50 o'clock the House adjourned.

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THURSDAY, MARCH 24, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Guest Chaplain, Rev. Leon E. Dayringer, pastor of the North Charlestown, West Unity Methodist Parish.

O God, Almighty Father, King of kings and Lord of all our rulers; grant that the hearts and minds of all who go out as leaders before us, the statesmen, the judges, the men of learning and the men of wealth, may be so filled with the love of thy laws, and of that which is righteous and life-giving, that they may serve as a wholesome salt unto the earth, and be worthy stewards of thy good and perfect gifts; through Jesus Christ our Lord.

Guide, O Lord, we pray thee, the mayors and other officers of our cities, with all those who share in the ordering of our community life. Give strength, honor, and charity to all our fellow citizens, that they may do their work, seeking not the good of any party or faction but of all our citizens. Sustain them by a vision of freedom and a peaceful and happy citizenry; through Jesus Christ our Lord. Amen.

### **Salute to the Flag**

Mr. Charland of Franklin led the convention in the salute to the flag.

### **Leaves of Absence**

Messrs. Locke of New Boston, Weeks of Wolfeboro and Merrill of Exeter were granted leaves of absence for the day on account of illness.

Mr. Comi of Concord was granted leave of absence for the day on account of important business.

Mr. Paradis of Manchester was granted leave of absence for the week on account of important business.

### **Delegation To Attend the Funeral of Donald Saltmarsh**

The Speaker appointed the following delegation to attend the funeral of Donald Saltmarsh:

Senator Landers, Mesdames Gardner of Gilford, Goodwin of Hollis, St. Pierre of Rochester, Studley of Rochester, Mr. Vaughn of Bow and the Concord delegation.

### **Introduction of Bills**

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Mr. Young of Pittsfield), House Bill No. 477, An Act relating to the working capital. To the Committee on Appropriations.

By Mr. Cilley of Concord, House Bill No. 478, An Act relative to board of veterinary examiners and qualifications for veterinary licenses. To the Committee on Agriculture.

By Mr. Pike of Fitzwilliam, House Joint Resolution No. 49, John Resolution relative to a road in Fitzwilliam. To the Committee on Public Works.

By the Committee on Rules (Miss Collyer of Lisbon), House Joint Resolution No. 50, Joint Resolution relative to reconstruction of Brook road in the town of Lisbon. To the Committee on Public Works.

### **Committee Reports**

The Committee on Ways and Means, to whom was referred House Bill No. 3, An Act relative to pari mutuel pools and payment to towns and cities for race meets therein, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 by striking out the word "five" in the eighth and twenty-second lines and inserting in place thereof the word, three, so that said section as amended shall read as follows: 2. *Payment to Towns and Cities.* Amend section 16 of chapter 171 of the Revised Laws as amended by section 2, chapter 117, Laws of 1945 (section 23, chapter 284, RSA) by striking out the word "five" in the third line and inserting in



place thereof the word, six, by striking out the word "four" in the sixth line and inserting in place thereof the word, five, and by striking out the words "two hundred and fifty" in the fifteenth line and inserting in place thereof the words, three hundred, so that said section as amended shall read as follows:

16. *Tax.* Each person, association, or corporation licensed to conduct a race or race meet under this chapter shall pay to the state treasurer a sum equal to six per cent of the total contributions to all pari mutuel pools conducted or made at any race or race meet licensed hereunder. Of the amount so paid to the state treasurer a sum equal to five and three-quarters per cent of said total contributions shall be distributed in accordance with the provisions of section 2, and a sum equal to one quarter of one per cent of said total contributions shall be expended for the promotion of agriculture in the state under the direction of the commissioner of agriculture. Each person, association, or corporation licensed to conduct a race or race meet under this chapter shall also pay to the city or town treasurer in which the racing plant is located the sum of three hundred dollars for each day of racing, provided, said person, association, or corporation has a license to conduct races or race meets for more than eight days during the year for which the license is issued. If said person, association or corporation has a license to conduct races or race meets for less than eight days, the said per diem fee shall be determined by the commission.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Messrs. Young of Pittsfield and Pickett of Keene spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Pickett of Keene moved that the rules be so far suspended as to permit the third reading and final passage, by title only, at the present time of House Bill No. 3.

On a *viva voce* vote the motion prevailed.

House Bill No. 3, An Act relative to pari mutuel pools and payment to towns and cities for race meets therein, was read a third time and passed and sent to the Senate for concurrence.

### Reconsideration

Mr. Pickett of Keene moved that the House reconsider its vote whereby it passed House Bill No. 3, An Act relative to pari-mutuel pools and payment to towns and cities for race meets therein.

On a *viva voce* vote the motion to reconsider did not prevail.

### Committee Reports

Mrs. Miner of Meredith, for the Committee on Ways and Means, to whom was referred House Bill No. 325, An Act providing bonus benefits to certain veterans of the Korean conflict with racing fund contributions, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Spofford of Jaffrey, for the Committee on Ways and Means, to whom was referred House Bill No. 376, An Act increasing racing funds for state aid to education, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Pickett of Keene moved that the bill be indefinitely postponed.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 7, An Act providing a bounty on raccoon, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 111, An Act relative to special fish and game licenses for members of the armed

forces of the United States, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 by inserting after the word "state" in the fifth line the words, or who is a guest of a resident, so that said section as amended shall read as follows: 2. *Non-resident Members of the Armed Services*. Amend section 2 of chapter 103 of the Laws of 1953 (section 4, chapter 214, R S A) by striking out said section and inserting in place thereof the following: 2. *Non-residents*. Any non-resident who is on active duty with any branch of the armed forces of the United States who is quartered in the state, or who is a guest of a resident, may make application to the director or his agent for a special license to hunt and fish as provided in the preceding section for residents. Such license for a non-resident shall have marked or stamped thereon the words "non-resident servicemen's license" and the fee to be paid to the director or his agent for such license shall be the same as that for a regular resident combination hunting and fishing license.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 281, An Act relative to field trials for dogs, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 340, An Act to prevent the destruction of the New Hampshire elk, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by existing legislation.

The report was accepted and the resolution of the committee adopted.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 323, An Act rela-

tive to killing self hunting dogs, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wadleigh of Milford, for the Committee on Judiciary, to whom was referred House Bill No. 235, An Act relating to licenses for games of beano, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Dondero of Portsmouth, for the Committee on Judiciary, to whom was referred House Bill No. 352, An Act relative to the licensing of auctioneers, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 304, An Act naming the Governor Wentworth highway, having considered the same, reported the same with the following amendments, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by inserting after the word "Governor" the word, John, so that said title as amended shall read as follows:

An Act naming the Governor John Wentworth highway.

Amend section 1 by inserting after the word "Governor" in the first and fourth lines the word, John" so that said section as amended shall read as follows: 1. *Governor John Wentworth Highway*. The highway known as route 109 from the junction of said route 109 and route 16 in the town of Wakefield to the junction of said route 109 and route 25 in the town of Moultonborough shall be named and hereafter known as the Governor John Wentworth Highway. The commissioner of public works and highways is directed to mark said highway with appropriate markers designating the name given to said highway.



The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Quirk of Portsmouth, for the Special Committee consisting of the members from the city of Portsmouth, to whom was referred House Bill No. 112, An Act relative to bonds of the city of Portsmouth, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out in the fifth line the words "exclusive of" and inserting in place thereof the word, and, so that said section as amended shall read as follows:

1. *City of Portsmouth.* Amend chapter 398 of the Laws of 1947 by adding after section 45 the following new section: 45-a. *Investment of Bond Proceeds.* The city treasurer may invest not more than eighty percent of the proceeds from the issue of bonds and notes and temporary notes issued in anticipation of revenue, prior to their application to the payment of liabilities incurred for the purposes specified in the authorization of the loan, in certificates of deposit in any state banks or trust companies or national banks, or in United States Treasury bills.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Joyce of Portsmouth, for the Special Committee consisting of the members from the city of Portsmouth, to whom was referred House Bill No. 206, An Act relating to the charter of the city of Portsmouth, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wardwell of Portsmouth, for the Special Committee consisting of the members from the city of Portsmouth, to whom was referred House Bill No. 220, An Act relating to compensation for the board of registrars in the city of Portsmouth, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.



Mrs. Sadler of Portsmouth, for the Special Committee consisting of the members from the city of Portsmouth, to whom was referred House Bill No. 228, An Act relating to the board of registrars in the city of Portsmouth, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Dondero of Portsmouth, for the Special Committee consisting of the members from the city of Portsmouth, to whom was referred House Bill No. 441, An Act relative to salaries for members of the trustees of trust funds for the city of Portsmouth, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Murch of Portsmouth, for the Special Committee consisting of the members from the city of Portsmouth, to whom was referred Senate Bill No. 5, An Act relative to audit of the accounts of the city of Portsmouth, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

#### **Taken from the Table Under Rule 48**

House Bill No. 394, An Act relative to annual reports by small loan licensees.

The question being on the amendment offered by the Committee on Banks.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

#### **Senate Message**

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 88, An Act relative to penalty for failure to surrender motor vehicle license, registration or number plate upon demand.

The President appointed as members of such committee on the part of the Senate, Senators Colburn and Ferguson, Districts No. 12 and No. 14.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 22, An Act relative to the care and custody of females transferred to the custody of the state prison.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *State Prison.* Amend section 34 of chapter 464 of the Revised Laws, as amended by section 1, chapter 38, Laws of 1955 (section 33, chapter 622, RSA) by striking out said section and inserting in place thereof the following: 34. *Contracts Authorized.* The trustees of the state prison are authorized to contract with the county commissioners of any county having prison facilities in which female convicts are kept separate or apart from male convicts, or with the authorities of other states having penal institutions in which female convicts are kept separate or apart from male convicts, for the care, custody, maintenance and confinement in such county prison facilities or out-of-state penal institutions of females convicted under the laws of this state of offenses punishable by imprisonment in the state prison, or who may have been transferred to the custody of the state prison as otherwise provided by law. Such contracts shall be approved by governor and council.

On motion of Mr. Black of Bennington the House voted to concur with the Senate in the amendments offered by the Committee on Engrossed Bills.

The bill was sent to the Secretary of State to be engrossed.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 111, An Act relative to special fish and game licenses for members of the armed forces of the United States.

House Bill No. 112, An Act relative to bonds of the city of Portsmouth.

House Bill No. 206, An Act relating to the charter of the city of Portsmouth.

House Bill No. 220, An Act relating to compensation for the board of registrars in the city of Portsmouth.

House Bill No. 228, An Act relating to the board of registrars in the city of Portsmouth.

House Bill No. 281, An Act relative to field trials for dogs.

House Bill No. 304, An Act naming the Governor John Wentworth Highway.

House Bill No. 394, An Act relative to annual reports by small loan licensees.

House Bill No. 441, An Act relative to salaries for members of the trustees of trust funds for the city of Portsmouth.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 5, An Act relative to audit of the accounts of the city of Portsmouth.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Palmer of Plaistow at 12:11 o'clock the House adjourned.

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TUESDAY, MARCH 29, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Eternal Father whose kindness is loving and patience is infinite, we beseech Thee to hear us in this our morning prayer, not so much because of what we say, but because of the deep need that drives us to Thee, because we sense how small and puny we are and how strong and omnipotent Thou art. And we come to Thee, realizing that Prayer and Faith are the keys that unlock Thy providential aid to us. Thou hast made us heirs of

a great heritage, and trustees of priceless gifts, and yet how often we forget the price that was paid for them — our freedom, our personal rights and privileges, yes, even our individual salvation. Make us strong, O God, to protect and preserve the blessings Thou hast bestowed upon us. In the name of Jesus Christ, our Lord. Amen.

### Salute to the Flag

Mrs. Miner of Meredith led the convention in the salute to the flag.

### Leaves of Absence

Mr. Brown of Keene was granted a leave of absence for the week on account of illness.

Mr. Hancock of Concord was granted a leave of absence for the day on account of important business.

Mr. Bradley of Hanover was granted a leave of absence for the day on account of important business.

Mrs. Wentworth of Madbury was granted a leave of absence for the day on account of illness.

Mrs. Ramsdell of Nashua was granted a leave of absence for the week on account of important business.

Mr. Pinkham of Northwood was granted a leave of absence for the day on account of important business.

Mr. Weeks of Wolfeboro was granted a leave of absence for the day on account of illness.

### Opinion of the Supreme Court

#### *To the House of Representatives:*

The undersigned Justices of the Supreme Court return the following answer to the question contained in your resolution adopted the second of March, 1955 with reference to House Bill No. 356, An Act relative to tax on the sale of cigarettes and on the sale of tobacco products.

R. L., c. 79 presently provides for a tax at the rate of 15 per cent upon the value of all tobacco products suitable for human consumption sold at retail, measured by the usual selling price. Included within the products subject to taxation are all "kinds and forms of tobacco, prepared in such manner as to be suitable for chewing or smoking . . . or both for chewing and smoking" specifically including cigarettes and cigars, R. L., c. 79, s. 1, XIV as inserted by Laws 1947, c. 133, s. 1.

House Bill No. 356 would designate cigarettes as one class of property subject to taxation and all other tobacco products now taxed upon their sale at retail as another class. As to the former, it would fix the rate of taxation at 20 per cent and as to the latter at 15 per cent.

In *Havens v. Attorney-General*, 91 N. H. 115, the present tax was held to be a validly imposed sales tax. The classification of tobacco products, to the exclusion of other commodities, as the subject of the tax was sustained as not being so arbitrary or unreasonable as to violate the legal requirements of classification.

In 1951, we were requested to give our opinion as to whether the Legislature could constitutionally provide "for a tax only upon the sale of all cigarettes sold at retail . . . thereby not taxing the sale of other tobacco products." In our affirmative answer, we stated that "cigarettes are a distinctive class of property" and concluded that a selection of them as a class by themselves, for the purpose of taxation, was neither unreasonable nor arbitrary. *Opinion of the Justices*, 97 N. H. 543, 545.

However, the taxation of cigarettes at a higher rate than other tobacco products in the absence of a regulatory or just reason therefor would not appear to produce the practical equality demanded by the Constitution. *Opinion of the Justices*, 97 N. H. 546. Accordingly, it is our advisory opinion that House Bill No. 356 would not be constitutional.

FRANK R. KENISON,  
LAWRENCE I. DUNCAN,  
AMOS N. BLANDIN, JR.,  
EDMOND J. LAMPRON,  
JOHN A. GOODNOW.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Young of Pittsfield, House Bill No. 479, An Act requiring certificates to be filed by selectmen with tax commission to be used in determining average rate of taxation. To the Committee on Executive Departments and Administration.



By Mr. Kearns of Manchester, House Bill No. 480, An Act relative to counsel fees under unemployment compensation cases. To the Committee on Labor.

### Committee Reports

Mr. Downs of Conway, for the Committee on Ways and Means, to whom was referred Senate Bill No. 22, An Act relative to estate taxes, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Davis of Cornish, for the Committee on Agriculture, to whom was referred House Bill No. 286, An Act establishing plant and seed certification, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Davis of Cornish, for the Committee on Agriculture, to whom was referred House Bill No. 269, An Act relative to the federal soil conservation and domestic allotment act, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Davis of Cornish, for the Committee on Agriculture, to whom was referred House Bill No. 316, An Act licensing bulk milk collector tank drivers and concerns operating bulk milk collection tank routes in New Hampshire, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4. *Fees.* Amend section 72 of chapter 194 of the Revised Laws, as amended by chapter 93 of the Laws of 1947 (section 77, chapter 184 R S A) by striking out said section and inserting in place thereof the following: 72. *Rules and Regulations: Fees.* The commissioner may make rules and regulations governing the application for and the granting of such licenses and shall charge a fee of two dollars each for the

same. Licenses issued hereunder shall be effective for a period of two years and be renewed biennially during the month of January. Licenses may be revoked by the commissioner if after due notice the licensee fails or has failed to comply with the law, rules and regulations under which the license was granted.

Amend section 6 of said bill by striking out the same and inserting in place thereof the following:

6. *Present Licenses; Takes Effect.* Section 4 shall be effective as of December 31, 1955 and all licenses issued under the provisions of section 72 of chapter 194, Revised Laws, and outstanding as of the date of the passage of this act shall expire as of December 31, 1955. The remaining sections of this act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Davis of Cornish, for the Committee on Agriculture, to whom was referred House Joint Resolution No. 41, Joint Resolution providing funds for Dutch elm disease control, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by inserting at the end thereof the words: The appropriation made hereunder shall be a continuing appropriation and shall not lapse, so that said resolution as amended shall read as follows:

That the sum of ten thousand dollars is hereby appropriated and made available to the state treasurer, who shall reimburse any town of the state, whose program of control of the Dutch elm disease has been first approved by the department of agriculture, to the extent of a dollar for each dollar expended, but at no time shall the state's contribution from these funds exceed five hundred dollars in any calendar year, to any one town; and the governor is hereby authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated. In the event that claims against said fund do not exceed the total appropriation the state treasurer, in his discretion, may distribute additional matching funds to towns which have expended in excess of five hundred dollars in any one year toward control of Dutch elm

disease. The appropriation made hereunder shall be a continuing appropriation and shall not lapse.

The report was accepted, the amendment adopted and the bill referred to the Committee on Appropriations under the rules.

Mr. Davis of Cornish, for the Committee on Agriculture, to whom was referred House Bill No. 322, An Act to change allocation of funds from inspections in the department of agriculture, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Davis of Hopkinton, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 29, Joint Resolution in favor of Stanley J. Ornell, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Scamman of Stratham moved that the bill be recommended to the Committee on Appropriations.

On a *viva voce* vote the motion prevailed.

Mr. Hodgdon of Tuftonboro, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 30, Joint Resolution in favor of H. P. Welch Company, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Scamman of Stratham moved that the bill be recommended to the Committee on Appropriations.

On a *viva voce* vote the motion prevailed.

Mrs. St. Pierre of Rochester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 32, Joint Resolution in favor of Alex E. Demers, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend the joint resolution by inserting after the word "Wolfeboro" in the fifth line the words, This sum shall be in full and complete settlement of this claim, so that said joint resolution as amended shall read as follows: That the sum of three hundred and thirty-two dollars and sixty-four cents is hereby appropriated to reimburse Alex E. Demers for expenses incurred and loss of time at his occupation occasioned by an accident which happened to him on June 28, 1953, at Lake Wentworth State Park at Wolfeboro. This sum shall be in full and complete settlement of this claim. The governor is authorized to draw his warrant for the sum hereby appropriated which shall be a charge upon the state recreational fund.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Lavoie of Manchester, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 171, An Act relative to benefits under the employees' retirement system of the State of New Hampshire, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

### **Introduction of Bill**

On motion of Mr. Pickett of Keene the rules were so far suspended as to allow the introduction of a bill.

By Mr. Pickett of Keene, House Bill No. 481, An Act legalizing the proceedings of the village district meeting of North Walpole on March 20, 1950.

Read a first and second time, laid upon the table to be printed and referred to the Committee on Executive Departments and Administration.

Mr. Pickett of Keene moved that the rules be further suspended to dispense with the printing and reference to committee of House Bill No. 481.

The question being on the motion.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.



Mr. Spaulding of Hudson spoke against the motion.  
On a *viva voce* vote the motion prevailed.

Mr. Pickett of Keene moved that the rules be suspended to allow the third reading and final passage, by title only, at the present time.

On a *viva voce* vote the motion prevailed and House Bill No. 481, An Act legalizing the proceedings of the village district meeting of North Walpole on March 20, 1950 was read a third time and passed, and sent to the Senate for concurrence.

Mr. Gamsby of Sunapee, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 183, An Act relating to satisfaction of judgments by motor vehicle owners and operators, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Metcalf of Tilton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 209, An Act relating to school superintendents in the state employees' retirement system, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill was referred to the Committee on Appropriations, under the rules.

Mrs. Griffin of Auburn, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 211, An Act relating to check lists and party enrollment, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Willey of Campton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 226, An Act relative to bids and contracts for state printing and binding, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.



The report was accepted and the resolution of the committee adopted.

Mr. Thurlow of Hampton Falls, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 249, An Act relative to the New Hampshire shore and beach preservation commission, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hadley of Hillsborough, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 301, An Act to provide for notice when a highway running between two towns is discontinued, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Gagnon of Berlin, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 320, An Act authorizing the town of Newport to fund or refund its indebtedness, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Reed of Goffstown, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 321, An Act to increase the borrowing power of the Central Hooksett Water Precinct, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Anderson of Concord, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 433, An Act relative to legalizing certain proceedings at the Exeter town meeting, March 8, 1955, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Gardner of Littleton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 434, An Act to legalize a certain vote at the 1955 meeting in the town of Littleton, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Rainie of Concord offered the following amendment:

Amend the title of said bill by striking out the words, "a certain vote at," so that said title as amended shall read as follows:

An Act to legalize the 1955 meeting in the town of Littleton.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Proceedings Legalized.* The votes and proceedings taken at the annual town meeting in Littleton, March 8, 1955 are hereby legalized, ratified and confirmed.

The question being on the amendment.

(Discussion ensued)

Mr. Rainie of Concord spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Haigh of Salem, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 443, An Act to legalize the annual meeting of the Bristol School District, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Dempsey of Franklin, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 444, An Act legalizing the annual meeting in the town of Atkinson, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 339, An Act relative to taking otter during open season for taking beaver, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 by striking out said section and inserting in place thereof the following: 1. *Fur-bearing Animals*. Amend section 1 of chapter 244 of the Revised Laws (section 1, chapter 210, RSA) by striking out said section and inserting in place thereof the following: 1. *Otter, Mink, etc.* Otter, mink, skunk, or muskrat may be taken and possessed from November first to February first. In addition to the above open season otter may be taken and possessed at any time when and any place where the director has declared an open season as provided in section 6.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Lamprey of Moultonborough, for the Committee on Insurance, to whom was referred House Bill No. 224, An Act relating to motor vehicle financial responsibility, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 2 by striking out said section.

Amend paragraph I of section 9 of chapter 122 of the Revised Laws as inserted by section 5 of the bill by striking out the word "three" in the third line and inserting in place thereof the word, seven, so that said paragraph as amended shall read as follows:

I. The commissioner may waive the requirements of filing proof of financial responsibility and certificates at any time after seven years duration from the date of accident involvement or conviction requiring such proof, provided the commissioner has not received further record of conviction, accident involvement, forfeiture of bail, unsatisfied judgment or other evidence which would require the continuance of such furnishing of proof of financial responsibility and certificates.

Amend section 7 by striking out said section.

Amend section 8 by striking out the words "upon its passage" and inserting in place thereof the words and figures, on all new policies written after October 15, 1955, so that said section as amended shall read as follows:

8. *Takes Effect.* This act shall take effect on all new policies written after October 15, 1955.

Further amend by renumbering sections 3, 4, 5, and 6, to read 2, 3, 4, and 5, and section 8 to read section 6.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Miss Collyer of Lisbon, for the Committee on Labor, to whom was referred House Bill No. 350, An Act relative to workmen's compensation, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Comi of Concord, for the Committee on Labor, to whom was referred Concurrent Resolution No. —, Concurrent Resolution urging the United States Congress to act favorably on legislation relative to reducing the age limit for old age benefits, having considered the same, reported the same with the recommendation that the concurrent resolution ought to pass.

The report was accepted.

On a *viva voce* vote the recommendation of the committee was adopted, and the concurrent resolution was sent to the Senate for concurrence.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 265, An Act relative to municipal budget committee and its powers and duties, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 287, An Act relative to payment of expenses of town com-

mon trust funds, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 368, An Act extending the powers of the Plymouth Village Fire District, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 174, An Act providing funds for highway improvement, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Barney of Rumney, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 11, An Act relative to forest lands under the jurisdiction of the forestry and recreation commission, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fortier of Berlin, for the Special Committee consisting of the members from the city of Berlin, to whom was referred Senate Bill No. 21, An Act relative to park commission of the city of Berlin, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by inserting after section 1 a new section to read as follows:

2. *Authority of Board of Park Commissioners.* Amend section 4 of said chapter 297 by inserting after the word "parkways" in the sixth and fifteenth lines the words, and for



recreational purposes, so that said section as amended shall read as follows: Sect. 4. The said board of park commissioners shall organize annually in the month of April by the choice of one of their members as chairman, and shall also choose a clerk who may be one of said commissioners. They may prescribe such rules and regulations governing the care, improvement and management of said parks, playgrounds and parkways, and for recreational purposes, as the city council heretofore or shall hereafter have the right to make under the laws of this state. They shall have the expenditure of all appropriations which the city council of said city from year to year vote for such purposes, and all bills for the expenditures from the appropriation so voted by the city council, shall be approved by said board before the same are paid by the city treasurer. The said board shall annually in the month of April send to the city council an estimate of the appropriation required for the acquisition, care, and maintenance of said parks, playgrounds and parkways, and for recreational purposes, during the financial year; and the said board of park commissioners shall recommend to the city council the acquiring of such lands as in their opinion should be taken for the purposes of this act.

Further amend by renumbering section 2 to read section 3.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

### Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it ordered to a third reading House Bill No. 174, An Act providing funds for highway improvement.

On a *viva voce* vote the motion to reconsider prevailed, and the bill was referred to the Committee on Appropriations under the rules.

Mrs. Davis of Concord, for the Special Committee consisting of the members from the city of Concord, to whom was referred House Bill No. 139, An Act relative to notices for meetings of the city council of Concord, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Davis of Concord, for the Special Committee consisting of the members from the city of Concord, to whom was referred House Bill No. 305, An Act relative to registration of voters in ward 2 of the city of Concord, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of said bill by striking out the words and figure "in ward 2" so that said title as amended shall read as follows:

An act relative to registration of voters of the city of Concord.

Amend the bill by striking out section 1 and inserting in place thereof the following: 1. *City of Concord*. Amend section 2-a of chapter 418 of the Laws of 1949, as inserted by chapter 359 of the Laws of 1953 by striking out said section and inserting in place thereof the following: 2-a. *Registration*. The supervisors of the check-lists in the city of Concord shall hold all sessions for the correction of the check-lists of their respective wards at their respective ward houses.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

#### **Taken from the Table Under Rule 48**

House Bill No. 16, An Act to promote safety on the highways by regulating access to state highways and roadside use, was taken from the table.

The question being on the amendment offered by the Committee on Public Works, found in the Journal for Wednesday, March 23.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

#### **Report of Committee on Engrossed Bills**

Mrs. Hundley of Portsmouth, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House and Senate bills:

House Bill No. 62, An Act relative to airport zoning.

House Bill No. 124, An Act increasing the fee for registration of trade names and partnerships.

Senate Bill No. 46, An Act relating to writs and their endorsement.

House Bill No. 22, An Act relative to the care and custody of females transferred to the custody of the state prison.

House Bill No. 151, An Act relative to illegal night hunting.

House Bill No. 154, An Act relating to the return of writs in the superior court.

House Bill No. 194, An Act relating to real estate mortgages.

House Bill No. 279, An Act relative to the fee for sealing and stamping beaver skins.

Senate Bill No. 5, An Act relative to audit of the accounts of the city of Portsmouth.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 117, An Act relative to payment of wages of a deceased person.

House Bill No. 151, An Act relative to illegal night hunting.

House Bill No. 154, An Act relating to the return of writs in the superior court.

House Bill No. 194, An Act relating to real estate mortgages.

House Bill No. 279, An Act relative to the fee for sealing and stamping beaver skins.

### Resolutions

Miss Collyer of Lisbon offered the following resolution:

*Whereas*, Arthur L. Hamilton of Lisbon, has passed away, and

*Whereas*, he was a Representative from Lisbon for several sessions and a former Chairman of Grafton County Delegation, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, hereby pay tribute to his services to his town and state, and extend our deep sympathy to his family in its bereavement, and be it further

*Resolved*, that the Clerk of the House transmit to Mrs. Hamilton a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by titles, and joint resolution by caption only.

### Third Reading

House Bill No. 16, An Act to promote safety on the highways by regulating access from state highways to drive-in theatres.

House Bill No. 139, An Act relative to notices for meetings of the city council of Concord.

House Bill No. 183, An Act relating to satisfaction of judgments by motor vehicle owners and operators.

House Bill No. 224, An Act relating to motor vehicle financial responsibility.

House Bill No. 249, An Act relative to the New Hampshire shore and beach preservation commission.

House Bill No. 269, An Act relative to the federal soil conservation and domestic allotment act.

House Bill No. 286, An Act establishing plant and seed certification.

House Bill No. 301, An Act to provide for notice when a highway running between two towns is discontinued.

House Bill No. 305, An Act relative to registration of voters of the city of Concord.

House Bill No. 316, An Act licensing bulk milk collector tank drivers and concerns operating bulk milk collection tank routes in New Hampshire.

House Bill No. 320, An Act authorizing the town of Newport to fund or refund its indebtedness.

House Bill No. 321, An Act to increase the borrowing power of the Central Hooksett Water Precinct.

House Bill No. 339, An Act relative to taking otter during open season for taking beaver.

House Bill No. 350, An Act relative to workmen's compensation.

House Bill No. 368, An Act extending the powers of the Plymouth Village Fire District.

House Bill No. 433, An Act relative to legalizing certain proceeding at the Exeter town meeting, March 8, 1955.

House Bill No. 434, An Act to legalize the 1955 meeting in the town of Littleton.

House Bill No. 443, An Act to legalize the annual meeting of the Bristol School District.

House Bill No. 444, An Act legalizing the annual meeting in the town of Atkinson.

House Joint Resolution No. 32, Joint Resolution in favor of Alex E. Demers.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 21, An Act relative to park commission of the city of Berlin.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

Senate Bill No. 22, An Act relative to estate taxes.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Gagnon of Berlin at 12:56 o'clock the House adjourned.

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WEDNESDAY, MARCH 30, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, William A. Binkley, Minister of the Northwood Baptist Churches, Northwood, N. H.

Let us pray.

Almighty God, who hast made us in Thine image and for Thy fellowship, prepare us to voice Thy praise, respond to Thy guidance, and yield obedience to thy will.



May our thoughts be cleansed of all unworthiness, and our endeavors initiated and carried forward in righteousness to the end that we shall be deserving of the trust of our fellow men, and that the meditations of our hearts and the total conduct of our lives shall be acceptable unto Thee.

Let high purposes triumph over the smallness that would shackle our usefulness, and a genuine concern for the public good keep our personal ambitions in a proper equilibrium.

As each reverently bows to seek divine favor, may each in like reverence arise, confident in Thy blessing, to accept the responsibilities, make the decisions, and discharge the duties which constitute the day's work.

And establish Thou the work of our hands upon us; yea, the work of our hands establish Thou it.

In Jesus' name we pray. Amen.

### **Salute to the Flag**

Mr. Ferguson of Jefferson led the convention in the salute to the flag.

### **Leaves of Absence**

Mr. Bissonett of Claremont was granted leave of absence for the week on account of illness.

Mr. Firestone of Claremont was granted leave of absence for the day on account of illness.

Mr. Larty of Haverhill was granted leave of absence for the day on account of attending a funeral.

Mr. Anderson of Concord was granted leave of absence for the day on account of important business.

### **Introduction of a Bill**

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Mr. Vogel of Canterbury), House Bill No. 482, An Act legalizing the annual meeting in the town of Canterbury. To the Committee on Executive Departments and Administration.

### **Printing Dispensed With**

On motion of Mr. Rainie of Concord, the rules were suspended to dispense with the printing of House Bill No. 482,

An Act legalizing the annual meeting in the town of Canterbury.

### Report of Committee on Engrossed Bills

Mrs. Hayden of Ossipee, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bill:

House Bill No. 481, An Act legalizing the proceedings of the village district meeting of North Walpole on March 20, 1950.

The report was accepted.

### Committee Reports

Mr. Brown of Marlow, for the Committee on Aviation, to whom was referred House Joint Resolution No. 42, Joint Resolution making an appropriation for the purchase of aircraft, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That there is hereby appropriated the sum of eighteen thousand five hundred dollars for the acquisition and operation of one new aircraft equipped with amphibious floats, by the aeronautics commission in accordance with the provisions of section 8-B, chapter 306 of the Revised Laws as inserted by chapter 96, Laws of 1953. The governor is hereby authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The undersigned, a minority of the Committee on Aviation, to whom was referred House Joint Resolution No. 42, Joint Resolution making an appropriation for the purchase of aircraft, having considered the same, and being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

RUFUS JENNINGS,  
J. E. McCULLOUGH,

*A Minority for the Committee.*

The report was accepted.

Mr. Brown of Marlow spoke in favor of the majority report.

Mr. Jennings of Goffstown moved that the minority report "inexpedient to legislate" be substituted for the majority report "ought to pass with amendment."

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Jennings of Goffstown, McCullough of Keene, and Perley of Lebanon and Mrs. Frizzell of Charlestown spoke in favor of the motion.

Messrs. Sweeney of Keene, Pickett of Keene, Brown of Marlow, Skinner of Alton, and Hancock of Concord spoke against the motion.

On a *viva voce* vote the motion to substitute the minority report prevailed.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 221, An Act relating to real estate brokers and salesmen, having considered the same, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 221, An Act relating to real estate brokers and salesmen, having considered the same, and being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

WILLIAM H. CRAIG, Jr.,  
HILDA C. F. BRUNGOT,  
DANIEL J. HEALY,  
MARY C. DONDERO,  
*A Minority for the Committee.*

The report was accepted.

Mr. Faulkner of Keene spoke in favor of the report of the majority.

Mrs. Brungot of Berlin moved that the minority report be substituted for that of the majority.

The question being on the motion.

(Discussion ensued)

Mrs. Brungot of Berlin and Mr. Corey of Manchester spoke in favor of the motion.

Messrs. Ballentine of Laconia and Pickett of Keene spoke against the motion.

Mrs. Dondero of Portsmouth moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Mrs. Dondero of Portsmouth, and Messrs. Craig, Healy, Gamache of Manchester, Mafera of Raymond, Brown of Loudon, and Mrs. Brungot of Berlin spoke in favor of the motion.

Mesdames Frizzell of Charlestown and Collyer of Lisbon, and Messrs. Lamprey of Moultonborough, Jones of Lebanon, Karagianis of Laconia, Benson of Conway, and Pillsbury of Manchester spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the Chair was in doubt and called for a division.

A division being had, 203 members having voted in the affirmative, and 131 members having voted in the negative, the motion to indefinitely postpone prevailed.

Mr. Ballentine of Laconia demanded the yeas and nays and the roll was called with the following result:

### Yeas—203

BELKNAP COUNTY: Metcalf.

CARROLL COUNTY: Chandler, Stokes, Nickerson of Madison, Remick, Hodgdon.

MERRIMACK COUNTY: Baron, Ellsworth, Vogel, Dowd, Ferrin, Davis of Concord, Henry, Rainie, Burke, Charland,

Dempsey, DuDevoir, Mulaire, Brown of Loudon, Wilman, Payeur, Thibeault of Pembroke, Lovejoy, Bean.

HILLSBOROUGH COUNTY: Robinson of Antrim, Wiggin, Farwell, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Fortin, Abbott, Latour, Pettigrew, Soucy of Manchester, Ward 1, Danforth, Robb, Dwyer, Hayes, Horan, Sullivan, Nolan, Smith of Manchester, Walsh, Callahan, Casey, Clancy, Ecker, Healy of Manchester, Ward 6, Slowey, Corey, Leclerc, Tessier, Craig, Delisle, Lavoie, Constant, Cary, Morris, Auger, Schricker, Hurley, Lareau, Dion of Manchester, Gauthier, Gelinas, Lafond, Lesmerises, Cannon, Donnelly, Gamache, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Boire, Thibault of Nashua, Belcourt, Trombley, Brosnahan, Maynard, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Sweeney of Nashua, Dugas, Dutilly, Jean, Bouthillier, Dumais, Aho, Mailloux, Dutton, Rice, Eastman of Weare.

CHESHIRE COUNTY: Burnham, Post, Pike, Smith of Hinsdale, Perry, Spofford, McCullough, Wheeler, Carlton, Brown of Marlow, Bouvier, Lang of Troy, Billings.

SULLIVAN COUNTY: Marcotte, Davis of Cornish, Reney, Bailey, Pierce.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Stevenson, Willey, Clarke of Canaan, Chamberlain of Holderness, Ashley, Cole, Townsend, Gardner of Littleton, Kelley, Martin, Horton, Bell, Huckins.

COOS COUNT: Dussault, Fortier, Roy, Russell, Brungot, Christiansen, Bouchard, Fontaine, Gagnon, Rines, Alls, Hurlbert, Bishop, Cornelius, Potter, Annis, Bushey, Charbonneau, Converse, Phelan, Baker, Stinson.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Persson, Tenney, Shattuck, Fogg, Bisbee, Clarke of Derry, Gay of Derry, Nickerson of East Kingston, Blair, Jones of Fremont, Weeks of Greenland, Spollett, Thurlow, Battles, Parmenter, Labranche, Sewall, Cheney, Carter, Barrett, Dondero, Payette, Sadler, Quirk, Joyce, Mafera, Philbrick, Willis (Howard), Felch, Robinson of South Hampton.

STRAFFORD COUNTY: Swain, Hennessey, Desjardins, Felker, Crandall, Flanagan, Mros, Evans, Dustin, Nadeau,



Carignan, Lacasse, St. Pierre, Estes, Green, Maloomian, Beamis.

### Nays—140

BELKNAP COUNTY: Skinner, McAllister, Boutin, Gardner of Gilford, Robertson, Hart, Rogers, Morin, Simoneau, Tilton, Ballentine, Karagianis, Burbank, O'Shan, Dana, Varrell, Miner, Smith of Meredith, Urie, Atwood.

CARROLL COUNTY: Benson, Downs, Lamprey, Hayden, Hodge, Peaslee of Wakefield, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Vaughn of Bow, Stevens, Colbath, Hancock, Shea of Concord, Lessels, Nelson of Concord, Corbett, Jewett, Ciley, McKee, Walker, Mahoney of Concord, Comi, Nutter, Broadhurst, Kenney, Carpenter, Mason, Davis of Hopkinton, Ayer of Pittsfield, Young, Bigelow, Workman.

HILLSBOROUGH COUNTY: Holmes, Black, Herrick, Hadley, Goodwin, Lang of Manchester, Geisel, Mahony of Manchester, Fitzgerald, Kean, Healy of Manchester, Ward 5, Buckley, Cummings, Saunders, Pappagianis, Grandmaison, Locke, Bardol.

CHESHIRE COUNTY: Haley, Sweeney of Keene, Bennett, Codding, Faulkner, Pickett, Waling, Sherwin, Terrill, Ballam, Rhodes, Ingham, Thompson.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Millar, Stone, Nelson of Goshen, Roe, Rowell, Vaughan of Newport, Gamsby, DeLude.

GRAFTON COUNTY: Ramsey, Plumer, Sanborn, Atkins, Bradley, Hayward, Holden, Clement of Landaff, Adams, Jones of Lebanon, Collyer, Frazer, Talbot, Carr, Barney.

COOS COUNTY: Sheridan, Taylor.

ROCKINGHAM COUNTY: Eastman of Exeter, Eldredge, Merrill, Rathbone, Hunter, Tobey, Palmer, Hundley, Murch, Travis, Wardwell, Haigh, Willis (Anna), Scamman, Waterhouse.

STRAFFORD COUNTY: Karkavelas, Webb, Connell, Funkhouser, Littlehale, Stearns, Nute, Chadbourn, Wentworth, Studley, Clement of Rochester, Malley, Brown of Strafford.

### Pair

Mr. Spaulding of Hudson voting Yes, paired with Mr. Pinkham of Northwood voting No.

And the motion to indefinitely postpone prevailed.

### Special Order

Mr. Pillsbury of Manchester moved that the remainder of the day's Calendar be made a special order of business for Thursday, March 31, at 11:01 o'clock.

On a *viva voce* vote the motion prevailed.

### Senate Message

A message, sent down from the Honorable Senate, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 481, An Act legalizing the proceedings of the village district meeting of North Walpole on March 20, 1950.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

House Bill No. 245, An Act dividing Grafton county into commissioner districts.

Amend section 2 of the bill by striking out the entire section and inserting in place thereof the following: 1. *Commissioner Districts*. Amend section 14 of chapter 45 of the Revised Laws as amended by section 1, chapter 181, Laws of 1945, and section 2, chapter 298, Laws of 1949, (section 11, chapter 64, RSA) by adding after paragraph VII the following new paragraph: VIII. Grafton: District 1. Bath, Benton, Easton, Hanover, Haverhill, Landaff, Lisbon, Lyman, Lyme, Monroe, Orford, Piermont, Warren, Wentworth. District 2. Alexandria, Ashland, Bridgewater, Bristol, Canaan, Dorchester, Enfield, Grafton, Groton, Hebron, Lebanon, Orange. District 3. Bethlehem, Campton, Ellsworth, Franconia, Holderness, Lincoln, Littleton, Livermore, Plymouth, Rumney, Thornton, Waterville, Woodstock.

Mr. Plumer of Bristol moved that the House non-concur in the amendment sent down from the Honorable Senate.

On a *viva voce* vote the motion prevailed.

Mr. Cole of Lebanon moved that a Committee of Conference be appointed to House Bill No. 245.

On a *viva voce* vote the motion prevailed, and the Speaker appointed as members of such committee, Mr. Plumer of Bristol, Mrs. Martin of Littleton, and Mrs. Atkins of Hanover.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives.

Senate Bill No. 74, An Act legalizing a meeting of the Coos county convention.

### Senate Bill Read and Referred

The following Senate bill was introduced, read a first and second time, and referred as follows:

Senate Bill No. 74, An Act legalizing a meeting of the Coos county convention.

To the Committee on Executive Departments and Administration.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time.

On motion of Mrs. Payette of Portsmouth at 2:07 o'clock the House adjourned.

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THURSDAY, MARCH 31, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, in these last days of this Lenten Season, we bring to mind the words of Thy Son Jesus Christ when He said: "If I be lifted up from the earth, I will draw all men unto myself." Help us, O God, to fully appreciate the depth of meaning in those words—their all inclusiveness. Remind us always that the attractive power of the cross knows no national or

racial boundaries; that it reaches to "all sorts and conditions of men"—the rich and the poor, the weak and the strong, the fortunate and the unfortunate, the sick and the well. Such, O God, is Thy kingdom. Help us to ever remember that Thy purpose, back of all this, is to cement all mankind into one great brotherhood.

"Help us help each other, Lord,  
Each other's burdens bear;  
Let each his friendly aid afford,  
To sooth another's care." Amen.

### Salute to the Flag

Mr. Cormier of Somersworth led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Huckins of Plymouth and Chamberlain of Holderness were granted leaves of absence for the day on account of illness in the family.

Mr. McCaffery of New Castle was granted leave of absence for three weeks on account of important business.

Mr. Pinkham of Northwood was granted leave of absence for the day on account of important business.

Mrs. Wentworth of Madbury was granted leave of absence for the day on account of illness.

### Reconsideration

Mr. Faulkner of Keene moved that the House reconsider its vote whereby it voted to non-concur in the Senate amendments to House Bill No. 245, An Act dividing Grafton county into commissioner districts.

On a *viva voce* vote the motion prevailed.

On motion of the same member the House voted to non-concur in the Senate amendments to House Bill No. 245, An Act dividing Grafton county into commissioner districts, and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House Mr. Plumer of Bristol, Mesdames Martin of Littleton and Atkins of Hanover.

### Introduction of a Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Mr. Willey of Campton), House Bill No. 483, An Act legalizing the proceedings of the Campton Village Precinct meeting held on March 29, 1955. To the Committee on Executive Departments and Administration.

### Printing Dispensed With

On motion of Mr. Rainie of Concord, the rules were suspended to dispense with the printing of House Bill No. 483, An Act legalizing the proceedings of the Campton Village Precinct meeting held on March 29, 1955.

### Order Vacated

Mr. Carr of Orford moved that the order whereby House Bill No. 438, An Act relating to group life insurance for share holders in credit unions, was referred to the Committee on Banks, be vacated and the bill be referred to the Committee on Insurance.

On a *viva voce* vote the motion prevailed.

### Committee Reports

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 278, An Act relative to a small game license for Coos county, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Chandler of Bartlett, for the Committee on Insurance, to whom was referred House Bill No. 353, An Act relating to extended coverage in policies of liability insurance, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Faulkner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 195, An Act to provide for the giving of security by owners and operators of aircraft in-



volved in accidents and to provide for administration thereof, having considered the same, reported the same in new draft with the recommendation that the bill in new draft be re-committed.

The report was accepted and the recommendation of the committee adopted.

House Bill No. 195 (in new draft), An Act to provide for the giving of security by owners and operators of aircraft involved in accidents and to provide for administration thereof, was introduced, read a first and second time, laid upon the table to be printed, and referred to the Committee on Judiciary.

Mr. Faulkner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 240, An Act relative to reckless and careless operation of motor vehicles, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to grossly careless and grossly negligent operation of motor vehicles.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Operation of Motor Vehicles.* Amend section 12 of Chapter 118, Revised Laws, as amended by section 1, chapter 180, Laws of 1951, (section 15, chapter 262, RSA) by striking out the last sentence thereof, so that said section as amended shall read as follows: 12. *Reckless Operating.* Whoever upon any way operates a vehicle recklessly, or so that the lives or safety of the public shall be endangered, or upon a bet, wager or race, or who operates a vehicle for the purpose of making a record, and thereby violates any of the provisions of this title or any special regulations made by the commissioner, shall be fined not more than one hundred dollars, or imprisoned not more than six months, or both; and for a second offense he shall be imprisoned not less than one month nor more than one year. If the death of any person results from the reckless operation of a motor vehicle the person convicted of such reckless operation shall, in lieu of any other penalty imposed by this section, be fined not more than one thousand

dollars, or imprisoned not more than five years, or both, provided that the provisions of this section shall not be construed to limit or restrict prosecution for manslaughter.

2. *Grossly Careless Operation.* Amend chapter 118 of the Revised Laws by inserting after section 12 the following new section: 12-a. *Grossly Careless or Grossly Negligent Operation.* Whoever upon any way operates a motor vehicle in a grossly careless or grossly negligent manner which said operation does not constitute reckless operation of a motor vehicle and which does not result in the death of any person, shall be fined not more than one hundred dollars, or imprisoned not more than thirty days, or both. Grossly careless or grossly negligent operation, for the purpose of this section shall be that manner of operation of a motor vehicle which, although short of wilful and intentional wrong, is marked by more want of care than simple inadvertence and is carelessness substantially and appreciably higher in magnitude than ordinary negligence or carelessness, or a high degree of indifference to the operator's duty.

3. *Penalties.* Amend section 13 of chapter 118, Revised Laws, as amended by section 2, chapter 180, Laws of 1951, and section 1, chapter 229, Laws of 1951, (section 16, chapter 262, RSA) by inserting after the figure "12" in the second line the figure, 12-a, and further amend said section by inserting after the word "convicted" in the sixth line the words, or the right of a non-resident so convicted to operate within the state of New Hampshire, so that said section as amended shall read as follows: 13. *Revocation of License.* Upon a conviction of a violation of sections 12, 12-a or 16 the court or justice shall report to the commissioner, and may, for a conviction for grossly careless or grossly negligent operation, and shall, for conviction of any other violation under sections 12 or 16, immediately revoke the license of the person so convicted, or the right of a non-resident, so convicted, to operate within the state of New Hampshire, and said court or justice in the case of holders of New Hampshire licenses shall return such license with his findings marked thereon, together with the court return, to the commissioner; and the commissioner may revoke the license of any person who shall be convicted of a similar offense by a court of any other state.

4. *Return of License in Appealed Cases.* Amend section 14 of chapter 118, Revised Laws, as amended by section 2, chapter 180, Laws of 1951, and by section 2, chapter 229, Laws of 1951, (section 17, chapter 262, RSA) by inserting after the figure "12" in the second line the words and figure, or section 12-a, so that said section as amended shall read as follows: 14. *Suspension.* Whenever any person convicted of a violation of section 12, or section 12-a, or section 16 appeals, the municipal court or justice may, in case of conviction for grossly careless or grossly negligent operation, and shall, in case of any other convictions under said sections, forthwith suspend the license of such person, and in case of holders of New Hampshire licenses shall return such licenses, together with the court return, to the commissioner, who shall not reissue said license until such person is acquitted. If the person so appealing is convicted the period of suspension shall be computed from the date of the initial conviction.

5. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

Reading of the amendment having commenced on motion of Mr. Faulkner of Keene, further reading was dispensed with.

The question being on the amendment.

(Discussion ensued)

Mr. Faulkner of Keene spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Bloomfield of Claremont, for the Committee on Military and Veterans' Affairs, to whom was referred Senate Joint Resolution No. 2, Joint Resolution relating to the placement of certain obsolete artillery, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Bloomfield of Claremont, for the Committee on Military and Veterans' Affairs, to whom was referred Senate Bill No. 53, An Act relative to courts-martial in the national guard, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### Special Order

Mr. Pillsbury of Manchester called for the special order, it being, the committee reports dated for Wednesday, March 30.

### Committee Reports

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred House Bill No. 336, An Act relative to residence of officers and directors of savings banks and building and loan associations, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Griffin of Auburn, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 309, An Act relative to the licensing of dogs, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Gardner of Littleton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 332, An Act relative to the payment of poll and head taxes, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Poll and Head Taxes.* Amend section 3-a of chapter 116, Revised Laws, as inserted by section 2 of chapter 173, Laws of 1953, (section 5, chapter 260, RSA) as amended by section 2, chapter 39, Laws of 1955, and by section 17 of an act approved March 23, 1955, relative to assessment of a special head tax, by striking out said section and inserting in place thereof the following: 3-a. *Prohibition.* No official or other person shall issue a permit to register a motor vehicle,



or registration for a motor vehicle, or license to operate a motor vehicle, or a license to hunt, fish or trap, without first requiring the applicant to make an affidavit under the pains and penalties of perjury that all poll and head taxes for which he is liable for the preceding year have been paid. Any person who shall violate the provisions of this section shall be fined not more than fifty dollars.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Messrs. Rainie of Concord and Pickett of Keene spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Nickerson of East Kingston, for the Committee on Public Health, to whom was referred House Bill No. 364, An Act relating to cropping dogs' ears, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being on the recommendation of the committee

(Discussion ensued)

Mr. Bennett of Keene spoke in favor of the question.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Willis of Salem, for the Committee on Public Health, to whom was referred Senate Bill No. 23, An Act relative to suspension or revocation of licenses of persons practicing medicine, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Davis of Concord, for the Committee on Transportation, to whom was referred House Bill No. 26, An Act providing for the application of motor vehicle laws on highways on land owned by the United States of America, having considered



the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by inserting after the word "criminal" in the eleventh line the words, jurisdiction or concurrent civil and criminal, so that said section as amended shall read as follows:

1. *Motor Vehicle Laws.* Amend chapter 115 of the Revised Laws (chapter 259, R S A) by adding at the end thereof a new section: 16. *Highways on Government Owned Land.* All provisions of law and city or town ordinances relating to motor vehicles shall be in force on any "way" as defined in paragraph XXXIV, section 1 of chapter 115 of the Revised Laws, or any street, road or public passageway for motor vehicles established by the United States of America, located on land in this state owned in the name of the United States of America, or any department or agency thereof, in which the state of New Hampshire, or a political subdivision thereof, has retained its civil and criminal jurisdiction or concurrent civil and criminal jurisdiction on such land.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Davis of Concord, for the Committee on Transportation, to whom was referred House Bill No. 197, An Act relative to exemptions under motor vehicle road toll law, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Davis of Concord, for the Joint Committee on Transportation and Insurance, to whom was referred House Bill No. 393, An Act relative to compulsory motor vehicle liability insurance, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

(Discussion ensued)

Mr. Carr of Orford spoke in favor of the question.

Mr. Maloomian of Somersworth moved that the words

"ought to pass" be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Maloomian of Somersworth spoke in favor of the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution of the committee.

On a *viva voce* vote the resolution of the committee was not adopted.

### Reconsideration

On motion of Mr. Pillsbury of Manchester, the House voted to reconsider its vote whereby it refused to adopt the motion to substitute the words "ought to pass" for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute the words "ought to pass."

Mr. Waling of Keene moved that the bill be recommitted to the Joint Committee on Transportation and Insurance.

The question being on the motion to recommit.

(Discussion ensued)

Mr. Waling of Keene spoke in favor of the motion.

Mr. Lamprey of Moultonborough moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Lamprey of Moultonborough, Walker of Concord, Charland of Franklin, Carr of Orford, Rathbone of Exeter, and Pickett of Keene, and Mrs. Brungot of Berlin, spoke in favor of the motion.

Mrs. Dondero of Portsmouth and Mr. O'Shan of Laconia spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion did not prevail.

Mr. Rathbone of Exeter called for a division.

A division being had, 171 members having voted in the affirmative, and 155 members having voted in the negative, the motion to indefinitely postpone prevailed.

Mr. Maloomian of Somersworth demanded the yeas and nays, but subsequently withdrew his demand.

Mr. Cilley of Concord, for the Special Committee consisting of the members from the county of Merrimack, to whom was referred House Bill No. 451, An Act relative to the salary of the solicitor of Merrimack County, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

### **Senate Message**

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

House Bill No. 305, An Act relative to registration of voters in ward 2 of the city of Concord.

House Bill No. 433, An Act relative to legalizing certain proceeding at the Exeter town meeting, March 8, 1955.

House Bill No. 434, An Act to legalize a certain vote at the 1955 meeting in the town of Littleton.

House Bill No. 443, An Act to legalize the annual meeting of the Bristol School District.

House Bill No. 444, An Act legalizing the annual meeting in the town of Atkinson.

House Joint Resolution No. 21, Joint Resolution relative to the estate of Eugene Hill.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following bill:

Senate Bill No. 21, An Act relative to park commission of the city of Berlin.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 29, An Act relative to operation of motor vehicles at yield right-of-ways signs.

Senate Bill No. 68, An Act relative to the salaries of the board of public works of Laconia.

### **Senate Bills Read and Referred**

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

By Senator English of District No. 11, Senate Bill No. 29, An Act relative to operation of motor vehicles at yield right-of-ways signs. To the Committee on Transportation.

By Senator Keller of District No. 6, Senate Bill No. 68, An Act relative to the salaries of the board of public works of Laconia. To the Special Committee consisting of the Delegation from the city of Laconia.

### **Resolution**

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by their titles, and joint resolution by its caption only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### **Third Readings**

House Bill No. 26, An Act providing for the application of motor vehicle laws on highways on land owned by the United States of America.

House Bill No. 240, An Act relative to grossly careless and grossly negligent operation of motor vehicles.

House Bill No. 278, An Act relative to a small game license for Coos county.

House Bill No. 332, An Act relative to the payment of poll and head taxes.

House Bill No. 353, An Act relating to extended coverage in policies of liability insurance.

House Bill No. 364, An Act relating to cropping dogs' ears.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 23, An Act relative to suspension or revocation of licenses of persons practicing medicine.

Senate Bill No. 53, An Act relative to courts-martial in the national guard.

Senate Joint Resolution No. 2, Senate Joint Resolution relating to the placement of certain obsolete artillery.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Lareau of Manchester at 1:05 o'clock the House adjourned.

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TUESDAY, APRIL 5, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Theodore B. Hadley, Pastor of the Congregational Churches of Hampstead and Atkinson, N. H.

Eternal Father,

We thank Thee that Thou hast created us in Thy spiritual image and given us the dignity of being Thy children. Teach us to understand the magnitude of Thy gift, and the responsibilities it places upon us, along with its blessings.

Make us truly grateful for our opportunities as free men and women in a free land; and keep us from the complacency, carelessness, and indifference, which may cause us to waste our heritage. Grant wisdom and courage to these who have the responsibility of leadership at this time. Help us all to be worthy citizens of our beloved state and nation; giving ourselves and our talents in their behalf; ever building for a more glorious future, and always to Thy glory. In the name of the Father, Son and Holy Ghost. Amen.

### **Salute to the Flag**

Miss Spollett of Hampstead led the convention in the salute to the flag.

### **Leaves of Absence**

Messrs. Bissonett of Claremont, Howe of Claremont and Weeks of Wolfeboro were granted leave of absence for the week on account of illness.



Mrs. Payette of Portsmouth and Mr. Lamprey of Moultonborough were granted leave of absence for the day on account of illness.

Messrs. Rogers of Laconia, Aho of New Ipswich and Mrs. Ramsdell of Nashua were granted leave of absence for the day on account of important business.

### Gavel Presentation

Mr. Urie of New Hampton presented the Speaker with an engraved gavel made from rose wood.

### Introduction of Bills

The following bills were introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Mr. Pickett of Keene, House Bill No. 484, An Act relative to the membership of the council in the city of Keene. To the Committee composed of the members of the Keene Delegation.

By Mr. Young of Pittsfield, House Bill No. 485, An Act relative to evidence of value for determination of taxation of railroads and public utilities. To the Committee on Judiciary.

By Mr. Kenney of Franklin, House Bill No. 486, An Act relative to painting on construction work. To the Committee on Labor.

### Committee Reports

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred House Bill No. 47, An Act relative to investigation of subversive activities, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1. *Subversive Investigation.* The investigation of subversive activities by the attorney general provided for by chapter 307 of the Laws of 1953, as continued by a resolution approved January 13, 1955, is hereby continued in full force and effect, in form, manner and authority as therein provided for the further period until June 30, 1957. The attorney general

shall report to the general court of 1957 the results of this further investigation together with his recommendations, if any, for necessary legislation. He may at any time during said period temporarily or permanently conclude his investigation hereunder if, in his opinion, no useful public purpose would be served by continuation of the investigation. There is hereby appropriated for the expenses of this continued investigation a sum not to exceed forty-two thousand five hundred dollars, which shall include the cost of printing such report as is provided for hereby, but nothing herein contained shall limit the power of the attorney general to act in cases of reasonable necessity under the provisions of section 11 of chapter 24 of the Revised Laws (section 12, chapter 7, R S A). The governor is hereby authorized to draw his warrants for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

Further amend said bill by striking out sections 2 and 3 and renumbering section 4 to read section 2.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Scamman of Stratham spoke in favor of the amendment.

Mr. Rainie of Concord offered the following amendment.

Amend section 1 of House Bill No. 47 by striking out the words "forty-two thousand five hundred" and inserting in place thereof the words, ten thousand, so that said section as amended shall read as follows:

1. *Subversive Investigation.* The investigation of subversive activities by the attorney general provided for by chapter 307 of the Laws of 1953, as continued by a resolution approved January 13, 1955, is hereby continued in full force and effect, in form, manner and authority as therein provided for the further period until June 30, 1957. The attorney general shall report to the general court of 1957 the results of this further investigation together with his recommendations, if any, for necessary legislation. He may at any time during said period temporarily or permanently conclude his investigation hereunder if, in his opinion, no useful public purpose would be served by continuation of the investigation. There is hereby

appropriated for the expenses of this continued investigation a sum not to exceed ten thousand dollars, which shall include the cost of printing such report as is provided for hereby, but nothing herein contained shall limit the power of the attorney general to act in cases of reasonable necessity under the provisions of section 11 of chapter 24 of the Revised Laws (section 12, chapter 7, RSA). The governor is hereby authorized to draw his warrants for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The question being on the amendment to the amendment.

(Discussion ensued)

Messrs. Rainie of Concord and Malley of Somersworth spoke in favor of the amendment.

Messrs. Perley of Lebanon, Spaulding of Hudson, Reed of Goffstown, and Pickett of Keene spoke against the amendment.

On a *viva voce* vote the amendment to the amendment was not adopted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Malley of Somersworth, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 13, Joint Resolution in favor of Francis H. Buffum, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

(Discussion ensued)

Mr. Malley of Somersworth spoke in favor of the question.

Mr. Vogel of Canterbury moved that the words "ought to pass" be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Vogel of Canterbury, Spaulding of Hudson, Young

of Pittsfield, Rathbone of Exeter and Holden of Hanover, and Mrs. Studley of Rochester spoke in favor of the motion.

Messrs. Cole of Lebanon and Scamman of Stratham spoke against the motion.

On a *viva voce* vote the motion to substitute the words "ought to pass" prevailed and the joint resolution was ordered to a third reading.

Mr. Angus of Claremont, for the Committee on Labor, to whom was referred House Bill No. 217, An Act relative to prior service credits for state officials and employees, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Malley of Somersworth, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 18, Joint Resolution relative to fire protection for the state house, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred House Bill No. 404, An Act relative to real estate investments of building and loan associations, having considered the same, reported the same with the recommendation that the bill ought to pass:

The report was accepted and the bill ordered to a third reading.

Mrs. Payette of Portsmouth, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 460, An Act legalizing the annual meeting of the Lyndeborough school district, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Payette of Portsmouth, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 469, An Act legalizing the proceedings at the annual town meeting in Colebrook, having considered the same,

reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Chamberlin of Bath, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 476, An Act legalizing certain district meetings of the Alton School District, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 360, An Act relative to fishing in small brooks and lakes after same have been stocked, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 387, An Act relative to the bag limit for horned pout, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 212, An Act relative to sidewalk vendors, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by pending legislation.

The report was accepted and the resolution of the committee adopted.

Mr. Carignan of Rochester, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 312, An Act relating to interstate compact on juveniles, having considered the same, reported the same with the recommendation that the bill ought to pass.



The report was accepted and the bill ordered to a third reading.

Mr. Carignan of Rochester, for the Committee on Public Welfare and State Institutions, to whom was referred House Joint Resolution No. 31, Joint Resolution to study the feasibility of the purchase by the state of the Margaret Pillsbury or Memorial Units of the Concord Hospital as a nursing home for needy elderly persons, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Skinner of Alton, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 56, An Act providing for the classification of certain surface waters in Grafton county, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Reney of Grantham, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 59, An Act providing for the classification of Baker river and its watershed, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Broadhurst of Franklin, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 308, An Act relative to membership of the water pollution commission, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Nadeau of Rochester, for the special committee consisting of the members from the city of Rochester, to whom was referred House Bill No. 384, An Act relative to election of certain officers of the city of Rochester, having considered the

same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House and Senate bills, House joint resolution.

Senate Bill No. 23, An Act relative to suspension or revocation of licenses of persons practicing medicine.

Senate Bill No. 53, An Act relative to courts-martial in the national guard.

House Bill No. 106, An Act relative to wounding a human being while hunting.

House Bill No. 117, An Act relative to payment of wages of a deceased person.

House Bill No. 248, An Act relative to perpetual inventory records and the transfer of unused supplies and equipment.

House Bill No. 283, An Act relative to the charter of the Dartmouth Savings Bank at Hanover.

House Bill No. 288, An Act relative to the open season for taking fur-bearing animals.

House Joint Resolution No. 25, Joint Resolution relative to a study of the problem of combining towns and school districts.

House Bill No. 191, An Act relative to the practice of dentistry.

Senate Bill No. 22, An Act relative to estate taxes.

House Joint Resolution No. 21, Joint Resolution relative to the estate of Eugene Hill.

Senate Bill No. 21, An Act relative to park commission of the city of Berlin.

House Bill No. 305, An Act relative to registration of voters of the city of Concord.

House Bill No. 433, An Act relative to legalizing certain proceedings at the Exeter town meeting, March 8, 1955.

House Bill No. 434, An Act to legalize the 1955 meeting in the town of Littleton.

House Bill No. 443, An Act to legalize the annual meeting of the Bristol School District.

House Bill No. 444, An Act legalizing the annual meeting in the town of Atkinson.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 253, An Act requiring causes of death to be printed or typed on certificates of death.

The message further announced that the Senate has voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

House Bill No. 14, An Act requiring a new registration of voters in the city of Dover.

House Bill No. 106, An Act relative to wounding a human being while hunting.

House Bill No. 191, An Act relative to the practice of dentistry.

House Bill No. 248, An Act relative to perpetual inventory records and the transfer of unused supplies and equipment.

House Bill No. 283, An Act relative to the charter of the Dartmouth Savings Bank at Hanover.

House Bill No. 288, An Act relative to the open season for taking fur-bearing animals.

House Joint Resolution No. 25, Joint Resolution relative to a study of the problem of combining towns and school districts.

The message further announced that the Senate concurs with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 252, An Act relative to prerequisites for burial permits and preparation of death certificates.

Amend the title of the bill by adding after the word "permits" the following words, and preparation of death certificates, so that said title as amended shall read as follows: An

Act relative to prerequisites for burial permits and preparation of death certificates.

Further amend the bill by inserting after section 1 the following new section: 2. *Burials*. Amend section 46 of chapter 163 of the Revised Laws as amended by section 4 of chapter 98 of the Laws of 1949 by inserting after the first sentence the following: The cause, or causes of death shall be printed or typed on all certificates required to be furnished under this section, so that said section as amended shall read as follows: 46. *Death Certificates*. Whenever a person shall die, or a stillborn child shall be brought forth, the physician attending at the last sickness or bringing forth shall fill out and deliver to the funeral director, or to the town clerk, a certificate, duly signed, setting forth, as far as may be, the facts required by rules of the state department of health as provided in chapter 337. The cause, or causes of death shall be printed or typed on all certificates required to be furnished under this section.

Further amend the bill by renumbering section 2 to read section 3.

On motion of Mr. Pillsbury of Sandown, the House voted to concur in the Senate amendments and the bill was sent to the Secretary of State to be engrossed.

House Bill No. 34, An Act relating to the use of facsimile signatures in the drawing of checks by the treasurers of public bodies.

Amend section 1 of House Bill 34 as amended, by striking out the words "a rubber stamp" in the last sentence thereof and by inserting the word "mechanical" before the word "device" in the last sentence thereof so that as amended said section shall read as follows:

1. *Negotiable Instruments*. Amend chapter 366 of the Revised Laws (Chapter 337 R S A) by inserting after section 18 the following: 18-a. *Use of Facsimile Signatures*. Any drawee of a check, draft or other order for the payment of money, in addition to any other rights which it may have, may pay and charge to the account upon which it is drawn any such check, draft or other order which (1) bears on the part of the drawer a facsimile signature, as hereinafter defined, of the drawer or a person who has been authorized by the drawer to



sign such checks, drafts or other orders, which is substantially similar to a specimen facsimile of the drawer's or such person's signature furnished by the drawer to the drawee, and (2) is invalid solely because such facsimile signature was affixed to such check, draft or other order without the authority of the person whose signature it is. Facsimile signature, as used in this section, shall mean any signature which has been imprinted or stamped by a facsimile signature machine, or any other machine or mechanical device for the reproduction of a signature.

Amend section 2 of House Bill No. 34 by striking out the whole of said section and inserting in place thereof the following: 2. *State Treasurer*. Amend chapter 22 of the Revised Laws (chapter 6, R S A) by inserting after section 6 the following new section: 6-a. *Facsimile Signature*. The state treasurer, whether acting as such or as custodian of or disbursing agent for any other fund, including the unemployment compensation fund and the unemployment compensation and employment service administration fund, without further authority than that contained in this section, shall have power to use a facsimile machine for the purpose of affixing his signature to any check, draft or other order for the payment of money drawn by him in the name and behalf of the state or any such other fund.

Amend House Bill No. 34 by adding at the end thereof the following new sections: 3. *Director of Employment Security*. Amend chapter 218 of the Revised Laws (chapter 282, R S A) by adding thereto the following new section: 20. *Facsimile Signature*. The director of employment security, without further authority than that contained in this section, shall have power to use a facsimile machine for the purpose of affixing his signature to any check, draft or other order for the payment of money drawn by him in the name and behalf of the unemployment compensation fund or the unemployment compensation and employment service administration fund.

4. *County Treasurer*. Amend chapter 48 of the Revised Laws (chapter 29, R S A) by inserting after section 2 the following new section: 2-a. *Facsimile Signature*. The county treasurer or any other disbursing officer of a county, when authorized to do so by the county commissioners, shall have



power to use a facsimile machine for the purpose of affixing his signature to any check, draft or other order for the payment of money drawn by him in the name and behalf of the county.

5. *City Treasurer.* Amend chapter 65 of the Revised Laws (chapter 48, R S A) by inserting after section 15 the following new section: 15-a. *Facsimile Signature.* The city treasurer or any other disbursing officer of a city, when authorized to do so by the city council or board of aldermen, shall have power to use a facsimile machine for the purpose of affixing his signature to any check, draft or other order for the payment of money drawn by him in the name and behalf of the city.

On motion of Mr. Geisel of Manchester, the House voted to concur in the Senate amendments and the bill was sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 26, An Act relating to the registration of pharmacists.

Senate Bill No. 72, An Act relating to publication of report of audit.

Senate Bill No. 73, An Act providing for liens on house trailers.

### **Senate Bills Read and Referred**

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

By Senator Packard of District No. 16, Senate Bill No. 26, An Act relating to the registration of pharmacists. To the Committee on Public Health.

By Senator O'Brien of District No. 2, Senate Bill No. 72, An Act relating to publication of report of audit. To the Committee on Municipal and County Government.

By Senator Adams of District No. 22, Senate Bill No. 73, An Act providing for liens on house trailers. To the Committee on Judiciary.

### Resolution

On motion of Miss Collyer of Lisbon the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by their titles, and joint resolutions by their captions, only, and when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 47, An Act relative to investigation of subversive activities.

House Bill No. 56, An Act providing for the classification of certain surface waters in Grafton county.

House Bill No. 59, An Act providing for the classification of Baker river and its watershed.

House Bill No. 217, An Act relative to prior service credits for state officials and employees.

House Bill No. 308, An Act relative to membership of the water pollution commission.

House Bill No. 312, An Act relating to interstate compact on juveniles.

House Bill No. 384, An Act relative to election of certain officers of the city of Rochester.

House Bill No. 387, An Act relative to the bag limit for horned pout.

House Bill No. 404, An Act relative to real estate investments of building and loan associations.

House Bill No. 460, An Act legalizing the annual meeting of the Lyndeborough school district.

House Bill No. 469, An Act legalizing the proceedings at the annual town meeting in Colebrook.

House Bill No. 476, An Act legalizing certain district meetings of the Alton school district.

House Joint Resolution No. 13, Joint Resolution in favor of Francis H. Buffum.

House Joint Resolution No. 18, Joint Resolution relative to fire protection for the state house.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Funkhouser at 1:30 o'clock the House adjourned.

WEDNESDAY, APRIL 6, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God of endless years; give to each of us in this brief day of life, some share in working out Thy eternal purpose among men. First of all, help us to understand ourselves, and to ever remember that when we try to live without Thee, we cannot rightly live with ourselves. As we live and work with others, in and out of this legislative hall, may they find in us a deep measure of Thy love, patience and human understanding. Help us, our God, to not forget that if we wish to "win friends and influence people," there is no better method than letting Thy love for, and feeling toward mankind flow through our lives. In this way may we have some share with Thee in building a better world. Through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mr. Mulaire of Hooksett led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Lamprey of Moultonborough and Nadeau of Rochester were granted leaves of absence for the day on account of illness.

Mrs. Payette of Portsmouth was granted an indefinite leave of absence on account of illness.

### Supreme Court Opinion

#### *To the House of Representatives:*

The undersigned Justices of the Supreme Court submit the following answers to the inquiries contained in your resolution filed March 11, 1955, with reference to House Bill No. 327, entitled "An Act to Provide State Aid for Nursing Education."

Part I of the Act provides for a program of annual scholarships to New Hampshire students in basic professional nursing and in advanced nursing education. Part II of the Act establishes a program of annual grants in aid to all hospitals in the state which offer approved training in basic professional nursing. The program is subject to the following express limitations: "No hospital shall be eligible for such aid unless it shall be

operated exclusively as a charitable hospital, none of the net income or profits of which are distributed among stockholders or members of the hospital, but rather are devoted exclusively to the charitable purposes of the hospital. No hospital shall be eligible for such aid which imposes any religious or other unreasonable discrimination in the enrollment of student nurses, as determined by the board; and such aid shall be used by each eligible hospital solely and exclusively for defraying the cost of training student nurses in basic professional nursing and for no other kind of instruction or purpose."

The Act incorporates the principal conclusions of the interim New Hampshire State Commission of Nursing (Laws 1953, c. 301) to the effect that there is shortage of student and graduate nurses creating a serious problem of public health, vitally affecting the welfare of the state and requires remedial action recommended by the Commission. The Commission reported that the "nursing salary schedule in the State of New Hampshire is one of the very lowest prevailing in the United States." The report recommended the scholarship and grants in aid programs for student and graduate nurses, which are Parts I and II of the Act, to avoid the "possibility of a genuine crisis in nursing education."

Hospitals and nurses are recognized essentials of a public health program and have received legislative recognition as serving a public purpose. Municipalities may use public moneys for hospitals, clinics and health centers (R. L., c. 51, s. 4, par. VI), to aid visiting or district nurses or the American Red Cross (par. VII), and to support a resident physician. R. L., c. 51, s. 4, par. XXIII. "The inability of members of a community to receive emergency care and first aid is not entirely a private matter of the person injured. R. L., c. 51, s. 4, pars. VI, VII, VIII and XXIII." *Blanchard v. Claremont Eagle, Inc.*, 95 N. H. 375, 379. The State has recently appropriated public funds for a survey of the building program for hospitals (Laws 1947, c. 247), and for the supervision of education in schools of nursing (Laws 1947, c. 285; Laws 1951, c. 38). In the past it has made outright grants for a medical school and for an infirmary. Act of June 23, 1809; 7 Laws of N. H. 813; Act of December 15, 1824; 9 Laws of N. H. 378. These statutes indicate the legislative declaration that hospitals and nursing involve a public matter for which state and local funds may be used.



In view of the charitable nature of hospitals (R. L., c. 73, s. 24) the allowance for scholarships and grants in aid presents no constitutional difficulty except in those cases mentioned in your resolution where the hospital is "conducted under the auspices of a certain religious denomination." Part II, Article 83 of the New Hampshire Constitution reads as follows: "... provided, nevertheless, that no money raised by taxation shall ever be granted or applied for the use of the schools or institutions of any religious sect or denomination." This proviso of Article 83 was inserted by amendment adopted in 1877. Its sponsor in the constitutional convention stated that it was designed "to prevent... the appropriation of any money raised by taxation for purposes of sectarian education." Journal, 1876 Convention, 124. As submitted to and approved by the people, the question was whether they approved of prohibiting such money "from being applied to the support of the schools or institutions of any religious sect or denomination." *Id.*, 275. Article 83 is purposeful and meaningful and is intended to prevent the use of public funds for sectarian or denominational purposes. See, Kinney, Church and State (1955).

Other provisions of the document, of longer standing, which remained unchanged in 1877, guarantee that "no subject shall be hurt... for his religious... persuasion," and provide for encouragement of instruction in religion. Const. Pt. I, Arts. 5th, 6th. What was intended to be forbidden by the amendment of 1877 was support of a particular sect or denomination by the state, at the expense of taxpayers of other denominations or of no denomination. It was not intended that members of a denomination should be deprived of public benefits because of their beliefs. *Cf. Everson v. Board of Education*, 330 U. S. 1, 16.

However, whether Article 83, or similar articles in other constitutions, have been violated or evaded can be determined only by an examination of the factual situation and not by the application of generalizations. This is demonstrated by the decisions in *Everson v. Board of Education*, 330 U. S. 1; *McCullum v. Board of Education*, 333 U. S. 203 and *Zorack v. Clauson*, 343 U. S. 306.

Under this constitutional provision it is necessary to look at the objectives and methods proposed by a statute in order to determine its validity. The purpose of the grant proposed by House Bill No. 327 is neither to aid any particular sect or



denomination, nor all denominations, but to further the teaching of the science of nursing. No particular sectarian hospital is to be aided, nor are all hospitals of a particular sect. The aid is to be available to all hospitals offering training in nursing without regard to the auspices under which they are conducted or to the religious beliefs of their managements, so long as the aid is used for nurses' training "and for no other kind of instruction or purpose." If the injunction of the proposed statute is followed, as it must be (*Holt v. Antrim*, 64 N. H. 284), the public funds will not be applied to sectarian uses. If some denomination incidentally derives a benefit through the release of other funds for other uses, this result is immaterial. *Brooks v. School District*, 73 N. H. 263, 265. The use of the grant is adequately limited by the proposed statute, *Eyers Woolen Co. v. Gilsum*, 84 N. H. 1, 15 and the training which will thereby be provided is subject to the supervision of the State. Laws 1947, c. 285. A hospital operated under the auspices of a religious denomination which receives funds under the provisions of this bill acts merely as a conduit for the expenditure of public funds for training which serves exclusively the public purpose of public health and is completely devoid of sectarian doctrine and purposes. This does not violate the Constitution. *Kentucky Bldg. Commission v. Effron*, 310 Ky. 355; *Bradford v. Roberts*, 175 U. S. 291. See *Holt v. Antrim*, 64 N. H. 284.

The fundamental proposition that public moneys shall be used for a public purpose only has not prevented the use of private institutions as a conduit to accomplish the public objectives. *Velishka v. Nashua*, 99 N. H. 161; *Opinion of the Justices*, 94 N. H. 515; *Opinion of the Justices*, 95 N. H. 548; *Opinion of the Justices*, 88 N. H. 484; *Conway v. Water Resources Board*, 89 N. H. 346, 349. This proposition received support in *Keene v. Roxbury*, 97 N. H. 82, 85; "A use may be entitled to aid under the protective power, as a public enterprise, even though made in a private or proprietary capacity, and even though the entire community does not directly enjoy it." The same principle may be applied without violating the prohibition against using public funds for sectarian as distinguished from private purposes.

Assuming that the General Court accepts the legislative declarations of purposes and facts stated in the preamble to

House Bill No. 327 we are of the opinion that the answer to questions 1 and 3 is no, which makes it unnecessary to consider question 2.

FRANK R. KENISON  
LAURENCE I. DUNCAN  
AMOS N. BLANDIN, JR.  
EDWARD J. LAMPRON  
JOHN R. GOODNOW

### **Introduction of Bills**

The following bills were introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, (Mr. Bascom of Acworth) House Bill No. 487, An Act legalizing the annual meeting in the town of Acworth. To the Committee on Executive Departments and Administration.

By Mr. Payeur of Pembroke, House Bill No. 488, An Act relative to transfer of certificates and permits under motor carrier act. To the Committee on Transportation.

### **Printing Dispensed With**

On motion of Mr. Rainie of Concord the rules were suspended to dispense with the printing of House Bill No. 487, An Act legalizing the annual meeting in the town of Acworth.

### **Committee Reports**

Mr. Young of Pittsfield, for the Committee on Ways and Means, to whom was referred House Bill No. 356, An Act relative to tax on the sale of cigarettes and on the sale of tobacco products, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Tobacco Products.* Amend section 5 of chapter 79 of the Revised Laws, as amended by section 4, of chapter 238 of the Laws of 1947, (section 7, chapter 78, RSA) by striking out the word "fifteen" in the first and nineteenth lines and

inserting in place thereof the word, twenty, so that said section as amended shall read as follows: 5. *Tax Imposed.* A tax is hereby imposed at the rate of twenty per cent upon the value of all tobacco products sold at retail in this state measured by the usual selling price. The payment of the tax shall be evidenced by affixing stamps to the smallest packages containing the tobacco products in which such products usually are sold at retail, but the word package as used herein shall not include individual cigars, cigarettes, or plugs or hanks of chewing tobacco, and such stamps shall be affixed in denominations of not less than one-half cent to an aggregate value nearest the tax hereby imposed. No tax is imposed on any transactions the taxation of which by this state is prohibited by the constitution of the United States. Each unclassified importer shall within twenty-four hours after receipt of any unstamped tobacco products in this state notify the tax commission of the amount and brands of tobacco products received and the name and address of the consignor. The tax commission, thereupon, shall notify the unclassified importer of the amount of the tax due thereon, at the rate of twenty per cent of the value thereof. Payment of the amount due the state shall be made within ten days from the mailing date of notice thereof. Any unclassified importer refusing to pay the tax on tobacco products imported by him within ten days after being notified of the amount of said tax by the tax commission, shall be subject to a fine of not less than twenty-five dollars or more than one hundred dollars.

2. *Discount.* Amend section 7 of chapter 79 of the Revised Laws, as amended by section 6, chapter 133, Laws of 1947, (section 9, chapter 78, RSA) by striking out the word "five" in the sixth line and inserting in place thereof the words, four and one-half, so that said section as amended shall read as follows: 7. *Stamps.* The tax commission shall secure stamps, of such design and denomination as it shall prescribe, suitable to be affixed to packages of tobacco products, as evidence of the payment of the tax imposed by this chapter. The commission shall sell such stamps to licensed manufacturers, wholesalers and sub-jobbers at a discount of four and one-half per cent of their face value to encourage manufacturers, wholesalers, and sub-jobbers to affix such stamps and compensate them for so doing, and to licensed vending machine

operators and retailers at their face value. The tax commission may in its discretion permit a licensed manufacturer, wholesaler, sub-jobber, vending machine operator or retailer to pay for such stamps within thirty days after the date of purchase, provided a bond satisfactory to the tax commission in an amount not less than the sale price of such stamps shall have been filed with the commission, conditioned upon the payment of such stamps. The tax commission shall keep accurate records of all stamps sold to each manufacturer, wholesaler, sub-jobber, vending machine operator and retailer and shall pay over all receipts from the sale of such stamps to the state treasurer daily.

3. *Takes Effect.* This act shall take effect July 1, 1955, except that tobacco products in the possession of retailers as of June 30, 1955 shall not be subject to the increase in tax hereinbefore provided.

The minority of the Committee on Ways and Means, to whom was referred House Bill No. 356, An Act relative to tax on the sale of cigarettes and on the sale of tobacco products, having considered the same, and being unable to agree with the majority, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

ORIGENE LESMERISES,  
GEORGE C. NADEAU,  
AMELIA LAREAU,  
HILDA HUNDLEY,  
CHARLES H. GAY,  
DENIS F. CASEY,

*For a Minority of the Committee.*

The reports were accepted.

Mr. Young of Pittsfield spoke in favor of the report of the majority of the committee.

Mr. Casey of Manchester moved that the report of the minority be substituted for that of the majority.

The question being on the motion.

(Discussion ensued)

Mr. Casey of Manchester spoke in favor of the motion.

Mr. Scamman of Stratham spoke against the motion.



Mr. Tobey of Hampton moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Tobey of Hampton, Waling of Keene, Malley of Somersworth, Clement of Rochester, Pickett of Keene, and Pillsbury of Manchester, and Mesdames Dondero of Portsmouth and Brungot of Berlin, and Miss Collyer of Lisbon spoke in favor of the motion.

Messrs. Perley of Lebanon, Cole of Lebanon, Wadleigh of Milford, Angus of Claremont, and Spaulding of Hudson, and Mrs. Studley of Rochester spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Angus of Claremont demanded the yeas and nays and the roll was called with the following result:

#### Yeas—227

SULLIVAN COUNTY: Marcotte, Simms, Reney, Pierce, Gamsby.

GRAFTON COUNTY: Ramsey, Stevenson, Bradley, Hayward, Larty, Chamberlain of Holderness, Collyer, Gardner of Littleton, Huckins, Barney.

COOS COUNTY: Dussault, Fortier, Roy, Russell, Sheridan, Brungot, Christiansen, Bouchard, Fontaine, Gagnon, Rines, Ross, Ferguson, Cornelius, Simonds, Potter, Bushey, Charbonneau, Baker, Stinson.

ROCKINGHAM COUNTY: Dudley, Persson, Tenney, Shattuck, Fogg, Barka, Bisbee, Clarke of Derry, Gay of Derry, Nickerson of East Kingston, Blair, Eastman of Exeter, Eldredge, Merrill, Rathbone, Jones of Fremont, Hunter, Tobey, Thurlow, Parmenter, Labranche, Sewall, Cheney, Carter, Barrett, Dondero, Sadler, Murch, Quirk, Joyce, Wardwell, Munz, Ingraham, Haigh, Willis (Anna), Willis (Howard), Pillsbury of Sandown, Felch, Robinson of South Hampton.



STRAFFORD COUNTY: Chase, Moher, Desjardins, Connell, Flanagan, Mros, Evans, Lacasse, Clement of Rochester, Estes, Green, Maloomian, Letourneau, Cormier, Beamis, Malley, Brown of Strafford.

BELKNAP COUNTY: Robertson, Morin, Simoneau, Tilton, O'Shan, Varrell, Smith of Meredith, Atwood.

CARROLL COUNTY: Chandler, Downs, Roberts, Stokes.

MERRIMACK COUNTY: Baron, Phelps, Vaughn of Bow, Vogel, Stevens, Dowd, Ferrin, Davis of Concord, Shea of Concord, Corbett, Nutter, Broadhurst, Burke, Kenney, Charland, Dempsey, Carpenter, Mason, DuDevoir, Mulaire, Brown of Loudon, Gay of New London, Payeur, Thibeault of Pembroke, Lovejoy, Bigelow, Workman.

HILLSBOROUGH COUNTY: Robinson of Antrim, Hambleton, Fortin, Hadley, Latour, Lang of Manchester, Pettigrew, Soucy of Manchester, ward 1, Danforth, Geisel, Mahony of Manchester, Pillsbury of Manchester, Robb, Dwyer, Hayes, Horan, Sullivan, Fitzgerald, Kean, Nolan, Smith of Manchester, Walsh, Callahan, Casey, Clancy, Ecker, Healy of Manchester, ward 6, Slowey, Corey, Tessier, Craig, Delisle, Langlois, Lavoie, Constant, Cary, Morris, Auger, Bergeron, Schricker, Alexander, Boisvert, Hurley, Lareau, Martel, Soucy of Manchester, ward 12, Vaillancourt, Dion of Manchester, Gauthier, Gelinas, Lafond, Lesmerises, Cannon, Donnelly, Gamache, Peaslee of Merrimack, Buckley, Peterson, Saunders, Boire, Thibault of Nashua, Belcourt, Trombley, Brosnahan, Maynard, Pappagianis, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Sweeney of Nashua, Dugas, Dutilly, Grandmaison, Jean, Langelier, Bouthillier, Dumais, Bardol.

CHESHIRE COUNTY: Burnham, Post, Thomas, Pike, Smith of Hinsdale, Spofford, Haley, Sweeney of Keene, Wheeler, Brown of Keene, Coddington, Pickett, Waling, Brown of Marlow, Sherwin, Lane, Lang of Troy, Thompson.

#### Nays—124

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Bloomfield, Firestone, Millar, Stone, Davis of Cornish, Nelson of Goshen, Bailey, Rowell, Vaughan of Newport, DeLude.

GRAFTON COUNTY: Pryor, Plumer, Willey, Clarke of

Canaan, Sanborn, Atkins, Holden, Clement of Landaff, Adams, Ashley, Cole, Jones of Lebanon, Perley, Townsend, Kelley, Martin, Horton, Frazer, Talbot, Carr, Bell.

COOS COUNTY: Alls, Hurlbert, Bishop, Annis, Converse, Phelan, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Spollett, Pinkham, Palmer, Travis, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Karkavelas, Felker, Webb, Crandall, Funkhouser, Littlehale, Stearns, Chadbourn, Wentworth, Dustin, Studley.

BELKNAP COUNTY: McAllister, Gardner of Gilford, Hart, Rogers, Ballentine, Karagianis, Burbank, Dana, Miner, Urie, Metcalf.

CARROLL COUNTY: Nickerson of Madison, Hayden, Hodgdon, Ford.

MERRIMACK COUNTY: Ellsworth, Henry, Colbath, Hancock, Lessels, Nelson of Concord, Jewett, Rainie, Cilley, McKee, Walker, Mahoney of Concord, Davis of Hopkinton, Milligan, Wilman, Ayer of Pittsfield, Young, Bean.

HILLSBOROUGH COUNTY: Holmes, Wiggin, Black, Farwell, Herrick, Jones of Francestown, Jennings, Poore, Reed, Goodwin, Abbott, Spaulding, Deans, Falconer, Wadleigh, Cummings, Ramsdell, Locke, Mailloux, Dutton, Rice, Willard, Eastman of Weare.

CHESHIRE COUNTY: Perry, Bennett, Carlton, Terrill, Bouvier, Ballam, Rhodes, Billings, Ingham.

### Pairs

Battles of Kingston voting Yes; Bissonett of Claremont voting No.

Mrs. Hundley of Portsmouth voting Yes; Mrs. Roe of Newport voting No.

Weeks of Greenland voting No; Healy of Manchester, ward 5, voting Yes.

Leary of Portsmouth voting Yes; Maxham of Concord voting No.

Mafera of Raymond voting No; Kearns of Manchester voting Yes.

Philbrick of Rye voting No; Remick of Tamworth voting Yes.

Benson of Conway voting Yes; Lamprey of Moultonborough voting No.

Hodge of Sandwich voting Yes; Weeks of Wolfeboro voting No.

McCullough of Keene voting Yes; Faulkner of Keene voting No.

And the motion to indefinitely postpone prevailed.

Mr. Angus of Claremont, for the Committee on Labor, to whom was referred House Bill No. 237, An Act relative to the unemployment compensation law, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the amending clause of section 8 of the bill by inserting after the figure "1951" in the fifth line the words and figures, and section 2, chapter 7 of the Laws of 1955, so that said amending clause as amended shall read as follows: Amend section 3 of said chapter 218, as amended by sections 3 and 4, chapter 56 of the Laws of 1943, section 8, chapter 138 of the Laws of 1945, sections 10 and 11, chapter 59 and chapter 267 of the Laws of 1947, section 2, chapter 30 and chapter 99 of the Laws of 1949, section 3, chapter 34 and section 7, chapter 140 of the Laws of 1951, and section 2, chapter 7 of the Laws of 1955, by striking out the whole of the same and inserting in place thereof the following:

Amend paragraph (2) of sub-section D of section 3 of said chapter 218, as inserted by section 8 of the bill, by striking out the word "three" in the first line and inserting in place thereof the word, four, so that said paragraph as amended shall read as follows:

(2) Unless he has annual earnings of not less than four hundred dollars within the base period in accordance with sub-section P(2) of section 1.

Amend the amending clause of section 9 of the bill by inserting after the figure "1953" in the fifth line the words and figures, and chapter 4 of the Laws of 1955, so that said amending clause as amended shall read as follows:

Amend section 4 of said chapter 218, as amended by sec-

tions 9 and 10, chapter 138 of the Laws of 1945, sections 12 and 13, chapter 59 of the Laws of 1947, sections 5 and 6, chapter 185 of the Laws of 1949, sections 2 and 3, chapter 209 and section 1, chapter 260 and section 3, chapter 261 of the Laws of 1953, and chapter 4 of the Laws of 1955, by striking out the whole of the same and inserting in place thereof the following:

Amend section 10 of said bill as follows:

Amend sub-paragraph (b) of paragraph (2) of sub-section B of section 5 of said chapter 218 by striking out in the third, fourth and fifth lines the words "the annual earnings in the base period with the name of each employer reporting wages paid to the claimant, and the amount thereof" so that said sub-paragraph as amended shall read as follows:

(b) A determination on the first claim in a benefit year which is immediately followed by a claim for waiting-period credit shall be made promptly following the waiting period and shall include: the maximum benefits then available, the maximum weekly benefit amount and maximum duration thereof, whether or not, with the reasons therefor, the claimant will be payable for the week immediately following the waiting period and for consecutive weeks thereafter for which claims are filed (no other facts appearing to the contrary during such period), and identification of the employer whose account will be charged with benefits to be paid by reason of such determination. This determination shall in any case be mailed or delivered to all interested parties.

Amend (5) of subsection G of section 5 of said chapter 218 as inserted by section 11 of the bill by striking out in the second line the figure "13-A-1" and inserting in place thereof the figure, 13-D, so that said sub-section as amended shall read as follows:

(5) Any interested party aggrieved by any decision in proceedings under section 13-D of this chapter may appeal to superior court in the manner provided in section 5-G (3) of this chapter.

Amend the amending clause of section 13 by inserting after the figure "1953" in the fifth line, the words and figures, and section 3, chapter 7 of the Laws of 1955, so that said amending clause as amended shall read as follows: Amend sub-section D of section 6 of said chapter 218, as amended by section 14,



chapter 138 of the Laws of 1945, section 17, chapter 59 of the Laws of 1947, section 11, chapter 185 and section 1, chapter 251 of the Laws of 1949, section 4, chapter 36 and sections 2, 3, 4, 5, and 6, chapter 142 of the Laws of 1951, section 6, chapter 209 of the Laws of 1953 and section 3, chapter 7 of the Laws of 1955, by striking out the whole of the same and inserting in place thereof the following:

D. Amend paragraph (4) of subsection D of section 6 of said chapter 218 by striking out the figure "1951" in the sixteenth and twenty-first lines and inserting in place thereof the figure, 1955, and by striking out the word "eighteen" in the seventeenth and twenty-second lines and inserting in place thereof the word, twenty, so that said paragraph (4) as amended shall read as follows: (4) No employer shall be entitled to a merit rate under this subsection for the first half of any fiscal year effective with the fiscal year beginning July 1, 1951 unless and until the balance of the unemployment compensation fund as of March 31, preceding said first half of said fiscal year, equals or exceeds twelve million dollars, at which time the computation and rates delineated in Schedule I will, subject to further provisions hereinbelow made, become effective and applicable for said first half of said fiscal year; it being further provided that no employer shall be entitled to a merit rate under this subsection for the second half of any fiscal year effective with the fiscal year beginning July 1, 1951 unless and until the balance of the unemployment compensation fund as of September 30, preceding said second half of said fiscal year, equals or exceeds twelve million dollars, at which time the computations and rates delineated in Schedule I will, subject to further provisions hereinbelow made, become effective and applicable for said second half of said fiscal year. It being further provided that if as of March 31 preceding the first half of any fiscal year effective with the fiscal year beginning July 1, 1955, the unemployment compensation fund equals or exceeds twenty million dollars, the computations and rates delineated in Schedule II will become effective and applicable for said first half of said fiscal year. It being further provided that if as of September 30 preceding the second half of any fiscal year effective with the fiscal year beginning July 1, 1955, the unemployment compensation fund equals or exceeds twenty million dollars, the computations and rates delineated in Sched-



ule II will become effective and applicable for said second half of said fiscal year.

Amend the first paragraph of paragraph (8) of said subsection D by striking out the word "eighteen" in the ninth line and inserting in place thereof the word, twenty, so that said paragraph as amended shall read as follows: (8) The computation date will be January 1 (to include contributions on that year's and prior years' employment paid through the succeeding January 31) and the effective date will be July 1. If, as of the computation date, the total of all contributions paid on an employer's own behalf and credited to his account for all past years exceeds the total benefits charged against his account for all past years and, subject to the provisions and conditions hereinabove fully described as to the status of the unemployment compensation fund being equal to or exceeding twelve million dollars but not being equal to or exceeding twenty million dollars, his contribution rate effective as hereinabove provided shall be determined by subtracting from the maximum contribution rate of 2.7 per centum the following amounts:

Amend the first paragraph of paragraph 9 of said subsection D by striking out the word "eighteen" in the third line and inserting in place thereof the word, twenty, so that said paragraph as amended shall read as follows: (9) It is further provided that, subject to the provisions and conditions hereinabove fully described as to the status of the unemployment compensation fund being equal to or exceeding twenty million dollars, said employer's contribution rate effective as hereinabove provided shall, after computation is made in the manner described in the next preceding paragraph, be determined by subtracting from the maximum contribution rate of 2.7 per centum the following amounts:

Further amend the bill by inserting after section 20 a new section as follows:

21. *Director, Deputy Director.* Amend section 9 of said chapter 218 by inserting after subsection E thereof the following new subsection: E-1. *Incapacity, Absence and Inability.* The deputy director of the division of employment security shall act as director whenever the director of the division of employment security is incapacitated, absent or unable to act for any cause. The deputy director shall also act as director

of the division of employment security until a new director is duly appointed whenever there is no director. During such period as the deputy director acts as director his status as a classified state employee shall continue and shall in no way be altered, affected or changed.

Further amend the bill by renumbering section 21 to read section 22.

The report was accepted.

Reading of the amendment having commenced on motion of Mr. Scamman of Stratham, further reading was dispensed with.

The question being on the amendment.

### **Special Order**

Mr. Angus of Claremont moved that further consideration of House Bill No. 237, An Act relative to unemployment compensation law, be made a special order of business at 11:01 o'clock, Tuesday, April 12.

On a *viva voce* vote the motion prevailed.

### **Special Order**

On motion of Mr. Pillsbury of Manchester the remainder of the day's calendar was made a special order of business for Thursday, April 7, at 11:01 o'clock.

### **Committee Report**

On motion of Mr. Young of Pittsfield, the rules were suspended as to allow the introduction of a committee report not previously advertised.

Mr. Young of Pittsfield, for the Joint Committee on Ways and Means and Resources, Recreation and Development, to whom was referred House Bill No. 25 (in new draft), An Act relative to forest conservation and taxation, having considered the same, reported the same in new draft, and recommended that the bill in its new draft be recommitted.

The report was accepted.

House Bill No. 25 (in new draft), An Act relative to forest conservation and taxation, was introduced, read a first and second time, laid upon the table to be printed and referred to

the Joint Committee on Ways and Means and Resources, Recreation and Development.

### **Report of Committee on Engrossed Bills**

Mrs. Hundley of Portsmouth, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bills:

House Bill No. 14, An Act requiring a new registration of voters in the city of Dover.

House Bill No. 64, An Act relating to aeronautical funds.

The report was accepted.

### **Resolutions**

Messrs. Willey of Campton, Bell of Plymouth, and Huckins of Plymouth offered the following resolution:

*Resolved*, that the New Hampshire Delegation in the Congress of the United States be memorialized to use their best efforts with the federal officials in order that the Newington Air Force Base, now under construction at Newington, be named the Harl Pease, Jr. Air Base in memory of Captain Harl Pease, Jr., of Plymouth who distinguished himself for conspicuous gallantry and intrepidity above and beyond the call of duty in action with the enemy near Rabaul, New Britain, on August 6-7, 1942, who was reported after that air raid as "missing in action."

*Further Resolved*, that the Secretary of State is hereby directed to send a copy of this Resolution to Senators Bridges and Cotton and to Representatives Merrow and Bass in Washington, D. C.

The resolution was referred to the Committee on Military and Veterans' Affairs.

### **Resolution**

On motion of Mrs. Travis of Portsmouth, the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, and when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

On motion of Mrs. Hurlbert of Errol at 2:17 o'clock the House adjourned.

THURSDAY, APRIL 7, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

“In the cross of Christ I glory,  
Towering o'er the wrecks of time;  
All the light of sacred story  
Gathers round its head sublime.  
Bane and blessing, pain and pleasure  
By the cross are sanctified;  
Peace is there that knows no measure,  
Joys that through all time abide.”

O Lord Jesus Christ, who through Thy suffering for all mankind has given us that great and universal symbol that has come down through Thy Church since that first Good Friday, we humbly and sincerely beseech Thee to cast the shadows of Thy cross upon all the gloom and shadows of our mortal life, that it may dispel those shadows, and reveal to us the hope that lies behind the sufferings of Calvary. As we come to contemplate the cross, O God, back of the suffering and pain, may we see Thy love, mercy, and redemption of mankind. Through the same, Thy Son Jesus Christ our Lord. Amen.

### Salute to the Flag

Senator Lamontagne of District No. 1 led the convention in the salute to the flag.

### Leaves of Absence

Mrs. Wentworth of Madbury was granted leave of absence for the day on account of illness.

Messrs. Bouvier of Swanzey, Faulkner of Keene, Soucy of Manchester, Ward 1, and Pinkham of Northwood, were granted leaves of absence for the day on account of important business.

### Committee Reports

Mrs. Griffin of Auburn, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 4, An Act relative to write-in votes for nomination as state senator and representative, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the bill by striking out section 1 and inserting in place thereof the following: 1. *Primary Election*. Amend chapter 33 of the Revised Laws (chapter 56, RSA) by inserting after section 50 the following new section: 50-a. *Limitation*. Any person who is nominated by the same political party for incompatible offices shall notify the Secretary of State within six days from the publication of notice provided by section 48, which of said nominations he will accept. Thereupon the Secretary of State shall declare a vacancy exists in the nomination for office said person has declined, which vacancy shall be filled as provided in section 52.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Rainie of Concord, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 276, An Act to regulate the practice of professional engineering, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 3 by striking out the word "line" in the third line and inserting in place thereof the words, and second and twenty-fourth lines; and by inserting after the word "revoke" in the twenty-second line the words, suspend or annul, so that said section as amended shall read as follows: 3. *Certification*. Amend section 24 of chapter 170 of the Laws of 1945 (section 26, chapter 319, RSA) by adding after the word "revoke" in the first and second, and twenty-second lines the words, suspend or annul, so that said section as amended shall read: 24. *Revocations*. The board shall have the power to revoke, suspend or annul the certificate of registration of any registrant who is found guilty of: (a) the practice of any fraud or deceit in obtaining a certificate of registration; (b) any gross negligence, incompetency, or misconduct in the practice of professional engineering as a registered professional engineer. Any person may prefer charges of fraud, deceit, gross negligence, incompetency, or misconduct against any registrant. Such charges shall be in writing, shall be sworn to by the person making them and shall be filed with the secretary of the board. All charges, unless dismissed by the board as unfounded or trivial, shall be heard by the board within three months after the date on which they shall have been



preferred. The time and place for said hearing shall be fixed by the board, and a copy of the charges, together with a notice of the time and place of hearing, shall be served personally on or mailed to the last known address of such registrant, at least thirty days before the date fixed for the hearing. At any hearing, the accused registrant shall have the right to appear personally and by counsel, to cross-examine witnesses appearing against him, and to produce evidence and witnesses in his own defense. If, after such hearing, three or more members of the board vote in favor of finding the accused guilty, the board shall revoke, suspend or annul the certificate of registration of such registered professional engineer.

The report was accepted.

Reading of the amendment having commenced, on motion of Mr. Rainie of Concord further reading was dispensed with.

The question being on the amendment.

(Discussion ensued)

Mr. Rainie of Concord spoke in favor of the amendment.

Mr. Spaulding of Hudson offered the following amendment to the amendment:

Further amend the bill by inserting after section 3 the following new sections: 4. *Additional Provisions for Certification.* Amend section 25 of chapter 170 of the Laws of 1945, (section 27, chapter 319, RSA) by inserting after the word "revoked" in the third line the words, suspended or annulled, so that said section as amended shall read as follows: 25. *Reissuance of Certificates.* The board, for reasons it may deem sufficient, may reissue a certificate of registration to any person whose certificate has been revoked, suspended or annulled, providing three or more members of the board vote in favor of such reissuance. A new certificate of registration, to replace any certificate revoked, lost, destroyed, or mutilated, may be issued, subject to the rules of the board, and a charge of three dollars shall be made for such issuance.

5. *Court Appeal.* Amend section 26 of said chapter 170 by striking out the word "or" in the second line and by inserting after the word "revoking" in the second line the words, suspending or annulling, so that said section as amended shall read as follows: 26. Any person who shall feel aggrieved

by any action of the board in denying, revoking, suspending or annulling his certificate of registration may appeal therefrom to the superior court and, after full hearing, said court shall make such decree sustaining or reversing the action of the board as it may deem just and proper.

Further amend the bill by renumbering section 4 and 5 to read section 6 and 7.

The question being on the amendment to the amendment.

(Discussion ensued)

Messrs. Spaulding of Hudson and Rainie of Concord spoke in favor of the amendment.

On a *viva voce* vote the amendment to the amendment was adopted.

The question being on the amendment offered by the committee as amended.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Ecker of Manchester, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 310, An Act relative to computation of benefits under the firemen's retirement system, having considered the same, reported the same with the following resolution:

*Resolved*, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Haigh of Salem, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 385, An Act relative to the disposition of fines, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Lavoie of Manchester, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 395, An Act relative to carrying concealed pistols or revolvers, having considered the same, reported the same with the following resolution:

*Resolved*, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Gagnon of Berlin, for the Committee on Executive Departments and Administration, to whom was referred House Joint Resolution No. 7, Joint Resolution relative to a special committee to study state owned lands, having considered the same, reported the same with the following resolution:

*Resolved*, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Dondero of Portsmouth, for the Committee on Judiciary, to whom was referred Senate Bill No. 63, An Act relating to reports of register of deeds, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Rathbone of Exeter, for the Committee on Judiciary, to whom was referred House Bill No. 103, An Act relative to motor vehicle operators' occupational licenses, having considered the same, reported the same with the following resolution:

*Resolved*, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred House Bill No. 216, An Act relative to jurisdiction of motor vehicle laws, having considered the same, reported the same with the following resolution:

*Resolved*, that it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

(Discussion ensued)

Mr. Sleeper of Haverhill spoke in favor of the question.

Mr. Rathbone of Exeter spoke against the question.

On a *viva voce* vote the resolution of the committee was adopted.

Mrs. Davis of Concord, for the Committee on Transporta-

tion, to whom was referred House Bill No. 244, An Act relative to minimum speed regulation of motor vehicles, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 37, An Act relating to hawkers and peddlers, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Local Licenses of Hawkers and Peddlers.* Amend Section 4 of Chapter 188 of the Revised Laws by striking out said section and inserting in place thereof the following: 4. *Local Licenses.* The clerk of any town or city shall grant a local license to any person who files in his office a certificate stating that to the best of the certifying officer's knowledge and belief the applicant for a license named therein is of good moral character; and is, or has declared his intention to become, a citizen of the United States. In the case of cities such certificate must be signed by the Chief of Police of the city in which the license is sought. In the case of towns such certificate must be signed by the Chief of Police, if any, and by a majority of the Selectmen of the town in which such license is sought. Such license shall not be granted to any other person.

Further amend the bill by inserting after section 1 the following new sections:

2. *Local License Fees.* Amend section 7 of said chapter 188 by striking out said section and inserting in place thereof the following: 7. *Fees.* Every person licensed under the provisions relative to local licenses shall pay to the clerk of the city or town granting such license the following sums before offering or exposing for sale any goods, wares or merchandise therein: For every town of not more than one thousand inhabitants, according to the census next preceding the date of his license, five dollars; for a town of more than one thousand and less than two thousand inhabitants, eight dollars; for all other cities and towns, ten dollars. The clerk shall certify on the face of such license the sum so paid and shall forward



all fees collected hereunder to the treasurer of said city or town which fees shall be for the use of said city or town.

3. *State Licenses.* Amend section 8 of said Chapter 188 by striking out said section and inserting in place thereof the following: 8. *State Licenses.* Upon compliance with the conditions hereinafter set forth, and upon payment of a fee of ten dollars for the use of the state as a state license fee, the secretary of state may grant special state licenses. Applications for such licenses shall be made upon blanks prepared by the secretary of state requiring such information regarding the applicant's character and qualifications as said secretary shall deem pertinent. No such license shall be issued unless the application is accompanied by a certificate signed by the chief of police of some city in this state stating that the applicant for a license is, to the best of his knowledge and belief, a person of good moral character, and is, or has declared his intention to become, a citizen of the United States. Any person so licensed may do business as a hawker or peddler in any city or town in this state, without further payments.

4. *Revocation.* Amend section 14 of said Chapter 188 by striking out said section, and inserting in place thereof the following: 14. *Revocation of Licenses.* Any special state license granted by the secretary of state to a hawker or peddler shall be revoked by him (1) upon conviction of the licensee of any offense which in the judgment of the secretary warrants such revocation, or (2) upon the submission to the secretary of evidence satisfactory to him that, during the term of the license, and acting under cover thereof, the licensee has accepted or solicited money otherwise than through a bona fide sale or barter of goods, wares or merchandise, or has in any manner begged or solicited alms from the public, or (3) upon a finding by him that the applicant has wilfully falsified his application for license, or (4) upon recommendation of any chief of police, for good cause shown, or (5) for any other sufficient cause. Whenever any person is convicted of a violation of any provision of this chapter, relative to hawkers and peddlers, the clerk of the court in which, or the trial justice by whom, such person was convicted shall notify the secretary of state or the clerk of any city or town which has granted a local license hereunder to said person. Any local license granted by the clerk of any city



or town shall be revoked by said clerk for like causes and in case of any revocation of a state license by the secretary of state all local licenses held by said licensees shall be revoked by said clerks. No person whose license has been revoked under this section shall thereafter be licensed as a hawker or peddler in this state.

Further amend the bill by renumbering section 2 to read section 5.

Reading of the amendment having commenced on motion of Mr. Deans of Milford, further reading was dispensed with. The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Deans of Milford spoke in favor of the amendment.

Mr. Spaulding of Hudson moved that the bill be recommitted.

The question being on the motion to recommit.

(Discussion ensued)

Mr. Spaulding of Hudson spoke in favor of the motion.

Messrs. Eldredge of Exeter and Brosnahan of Nashua spoke against the motion to recommit.

On a *viva voce* vote the motion did not prevail

Mr. Spaulding of Hudson moved that the amendment be indefinitely postponed.

(Discussion ensued)

Mr. Spaulding of Hudson spoke in favor of the motion.

Messrs. Pickett of Keene, Thomas of Dublin, Clement of Rochester, Brosnahan of Nashua and Mrs. DeLude of Unity spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

### Special Order

Mr. Scamman of Stratham called for the special order, it

being the committee reports listed for action Wednesday, April 6.

Mr. Brown of Marlow, for the Committee on Aviation, to whom was referred House Bill No. 65, An Act relative to liability in the operation of aircraft, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the bill by striking out section 1 and inserting in place thereof the following:

1. *Aeronautics*. Amend chapter 306 of the Revised Laws (chapter 422, RSA) by inserting after section 27 the following new section: 27-a. *Liability of Certain Persons Not in Possession of Aircraft*. Notwithstanding the definitions of "operation of aircraft" and "operate aircraft" as set forth herein no person owning a civil aircraft or having a security interest in, or security title to, any civil aircraft under a contract of conditional sale, equipment trust, chattel or corporate mortgage, or other instrument of similar nature and no lessor or any such aircraft under a *bona fide* lease shall be liable other than by application of the doctrine of respondent superior merely by reason of such ownership, interest or title, or merely by reason of his interest as lessor or owner of the aircraft so leased, for any injury to or death of persons, or damage to or loss of property in the air or on the surface of the earth (whether on land or water) caused by such aircraft, or by the ascent, descent, or flight of such aircraft or by the dropping or falling of an object therefrom, unless such aircraft is in the actual possession or control of such person at the time of such injury, death, damage or loss. Nothing in this section shall relieve such persons from liability for their own negligent acts or omissions if such acts or omissions cause or contribute to cause such injury, death, damage or loss.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Nutter of Epsom, for the Committee on Education, to whom was referred House Bill No. 213, An Act relating to school attendance, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Duration of Attendance.* Amend section 1 of chapter 137 of the Revised Laws as heretofore amended by striking out the same and substituting therefor the following: 1. *Duty of Pupil.* Except as provided in section 4, every child between six and sixteen years of age shall attend the public school within the district where the child resides or a public school or public academy outside the district to which the pupil is assigned or an approved private elementary school, Grades 1-8; or listed secondary school, Grades 9-12; provided, however, that if a child reaches his or her sixth birthday after September 30 he or she shall not be required to attend school under the provisions of this section until the following school year.

Further amend the bill by striking out section 2 and inserting in place thereof the following:

2. *Exemption.* Amend section 4 of chapter 137 of the Revised Laws by striking out the same and substituting therefor the following: 4. *Exemption.* Upon the recommendation of a Superintendent of Schools adopted by a majority vote of the members of the school board, any child between six and sixteen years of age may be excused from attending school if the child for physical reasons cannot attend school, or if good and sufficient cause is shown that reasonable benefit to the child will not accrue from further attendance. Upon application signed by such person or persons having a family or legal relationship to a child as the school board may require, accompanied by the recommendation of the Superintendent of Schools, the members of the school board may by majority vote excuse from further attendance at school any child who has successfully completed the eighth grade.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Talbot of Orange, for the Committee on Education, to whom was referred House Bill No. 285, An Act relative to the construction of a new library building and the remodelling of the present library building for instructional purposes at the University of New Hampshire, and to be liquidated from income, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mrs. Webb of Dover, for the Committee on Education, to whom was referred House Bill No. 311, An Act relative to the construction of a dormitory for women at the University of New Hampshire, and to be liquidated from income, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Rainie of Concord, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 295, An Act relative to re-examination of holders of licenses to operate motor vehicles, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the word "commissioner" in the third line the words, after reasonable notice, so that said section as amended shall read as follows:

1. *Motor Vehicles, Licenses.* Amend chapter 117 of the Revised Laws (chapter 261, RSA) by inserting after section 2-a thereof the following new section: 3. *Re-examination.* The commissioner, after reasonable notice, may require any person holding a license to operate motor vehicles or applying for re-issue of such license to pass such examination as to his qualifications as the commissioner shall prescribe. No license shall be re-issued to such person or continued in effect until the commissioner is satisfied as to such person's fitness to operate a motor vehicle.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Green of Rollinsford, for the Committee on Public Health, to whom was referred House Bill No. 251, An Act relative to protection of illegitimate children, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Nickerson of East Kingston, for the Committee on Public Health, to whom was referred House Bill No. 351, An



Act relative to the weight of ice cream, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bishop of Gorham, for the Committee on Transportation, to whom was referred House Bill No. 102, An Act relative to use of binder chains on motor vehicles carrying pulp wood, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Motor Vehicles, Loads.* Amend chapter 119 of the Revised Laws, (chapter 263, RSA) by adding after section 39-a the following new sections: 39-b. *Binder Chains on Vehicles Carrying Wood Products Other Than Logs and Sawed Long Lumber.* No motor truck, trailer or semi-trailer while being used to transport pulpwood, boltwood or any wood product, other than long logs or sawed long lumber, shall be operated on the highways of this state unless the last tier and/or row is bound by a chain and binder to adequately secure the load, chains to be made of not less than three-eighths inch wire. No wood product other than logs and/or sawed long lumber shall be piled higher than the truck stakes unless bound by a chain and binder to adequately secure the load.

39-c. *Binder Ropes on Vehicles Carrying Baled Hay.* No motor truck, trailer or semi-trailer while being used to transport baled hay shall be operated on the highways of this State unless the loads of baled hay, baled straw, or other baled products shall be solidly packed while in transit. Loading methods shall result in completely tying the load together by alternating bale lengths and interlocking tiers.

Further amend the bill by adding after section 1 the following new sections:

2. Such loads shall be fastened securely to the vehicle by not less than two longitudinal rope binders from front to the back of vehicles; and by not less than four cross binders in addition to the longitudinal binders; binders to be of at



least three-fourths inch diameter knot and rot-free manila rope.

3. The provisions of paragraphs 1 and 2 shall not apply to a local farmer transporting his own baled products incidental to his farming operations where such transportation requires the use of the public highways; provided, however, that nothing herein shall relieve such farmer from loading and securing such bales in a safe manner.

Further amend the bill by renumbering section 2 to read section 4.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Bishop of Gorham, for the Committee on Transportation, to whom was referred House Bill No. 243, An Act relative to requirement for use of so-called mud flaps on certain motor vehicles, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Required Equipment.* Amend chapter 119 of the Revised Laws (chapter 263, RSA) by inserting after section 11 the following new section: 11-a. *Flaps; Guards.* Every motor vehicle, truck, bus, trailer, semi-trailer, operated in or upon any way, shall be equipped with suitable flaps or guards which will effectively reduce the throw, spray or splash to the rear, of water, dirt or other matter, caused by the rear wheels thereof. Such flaps or guards required shall be of a type and size prescribed and approved by the commissioner of motor vehicles.

2. *Takes Effect.* This act will take effect ninety days after its passage.

The report was accepted.

The question being on the amendment.

Mr. Sleeper of Haverhill offered the following amendment:

Amend the amendment to House Bill No. 243 by striking out in section 1 the word "vehicle" in the third line, so that said section as amended shall read: 1. *Required Equipment.*

Amend chapter 119 of the Revised Laws (chapter 263, RSA) by inserting after section 11 the following new section: 11-a. *Flaps; Guards.* Every motor truck, bus, trailer, semi-trailer, operated in or upon any way, shall be equipped with suitable flaps or guards which will effectively reduce the throw, spray or splash to the rear, of water, dirt or other matter, caused by the rear wheels thereof. Such flaps or guards required shall be of a type and size prescribed and approved by the commissioner of motor vehicles.

The question being on the amendment to the amendment.

On a *viva voce* vote the amendment to the amendment was adopted.

The question being on the amendment as amended.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

### **Report of Committee on Engrossed Bills**

Mrs. Palmer of Plaistow, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House Bill:

House Bill No. 3, An Act relative to pari mutuel pools and payment to towns and cities for race meets therein.

The report was accepted.

### **Senate Message**

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 3, An Act relative to pari-mutuel pools and payment to towns and cities for race meets therein.

House Bill No. 64, An Act relating to aeronautical funds.

House Bill No. 232, An Act relative to compensation of appeal tribunal and advisory council members under the unemployment compensation law.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 10, An Act relative to the designation of bargaining agencies for employees.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Labor Controversies.* Amend section 17 of chapter 210 of the Revised Laws (section 17, chapter 273, RSA) by striking out said section and inserting in place thereof the following: 17. *Application by Agent.* When an application is signed by an agent claiming to represent a majority of such employees the commissioner shall, before proceeding further, satisfy himself by secret ballot or otherwise that such agent is duly authorized to represent a majority of such employees. If the commissioner requires such secret ballot all regular employees of the unit may vote thereat. If the commissioner does not require a secret ballot he shall require a statement in writing from a majority of the employees that said agent is duly authorized to represent them. In the latter case the names of the employees giving written authority to such agent shall be kept by the commissioner.

On motion of Mrs. Frizzell of Charlestown the House voted to concur in the Senate amendments and the bill was sent to the Secretary of State to be engrossed.

House Bill No. 272, An Act relative to sale of pheasants for resale.

Amend the title of said bill by inserting after the word "pheasants" the words, and chauker partridge, so that said title as amended shall read as follows:

An Act relative to sale of pheasants and chauker partridge for resale.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Pheasants and Chauker Partridge.* Amend chapter 246 of the Revised Laws (chapter 212, RSA) by inserting after section 24 the following new section: 24-a. *Sale of.* Pheasants and chauker partridge raised by any such license may be possessed, bought and sold for use as food, to hotels, restaurants, and food stores, provided, however, that there shall be attached to each pheasant or chauker partridge or part thereof so possessed, bought or sold a special tag, pro-

vided by the director at a nominal fee, which tag shall remain attached to the pheasant or chauter partridge or part thereof until immediately prior to cooking.

On motion of Mrs. Dondero of Portsmouth the House voted to concur in the Senate amendments, and the bill was sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 19, An Act relative to the trapping of fur-bearing animals in the Androscoggin Valley watershed.

Senate Bill No. 25, An Act repealing the provisions for open season for the taking of beaver.

Senate Bill No. 58, An Act to provide for the regulation of the business of drivers' schools.

Senate Bill No. 62, An Act relating to registration of motor boats and outboard motors.

### **Senate Bills Read and Referred**

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

By Senator Lamontagne of District No. 1, Senate Bill No. 19, An Act relative to the trapping of fur-bearing animals in the Androscoggin Valley watershed. To the Committee on Fish and Game.

By Senator Cleveland of District No. 7, Senate Bill No. 25, An Act repealing the provisions for open season for the taking of beaver. To the Committee on Fish and Game.

By Senator Packard of District No. 16, Senate Bill No. 58, An Act to provide for the regulation of the business of drivers' schools. To the Committee on Transportation.

By Senator Keller of District No. 6, Senate Bill No. 62, An Act relating to registration of motor boats and outboard motors. To the Committee on Public Works.

### **Resolutions**

Mr. Pickett of Keene offered the following resolution:

Resolution relative to insurance on motor vehicles.



*That* the governor appoint a committee of five members of two from the insurance industry, one from the state motor vehicle department and two from the general public. Said committee shall be charged with conducting a study of the automobile liability insurance laws of this and other states, and the various plans available to the insuring public. The study shall include, but shall not be limited to, consideration of the plans generally referred to as compulsory insurance. The committee shall report its conclusions and recommendations to the insurance committee of the 1957 session of the general court.

The resolution was referred to the Committee on Insurance.

Mr. Brown of Marlow offered the following resolution:

*Whereas*, there has been pending for some time before the Aviation Committee the perennial headache of what to do to improve the sound system in the House, and

*Whereas*, after much study and deliberation the committee recommends to the House that it does accept the offer of the New Hampshire Wing, Civil Air Patrol to perform the necessary engineering work and the installation of some temporary additional speakers with a low power sound level, in order that the House may judge whether or not the situation has thereby been materially improved, and

*Whereas*, this work and the temporary equipment will be furnished by the Civil Air Patrol at no cost to the State;

*Be It Resolved*, that the House accept the afore-mentioned offer of this experimental project, and

*Be It Further Resolved*, that the Clerk be instructed to acknowledge same and convey the thanks of the House to the Civil Air Patrol for their unselfish desire to be of service to the State.

On a *viva voce* vote the resolution was adopted.

Mr. Geisel of Manchester offered the following resolution:

*Resolved*, that the Justices of the Supreme Court be respectfully requested to give their opinion upon the following question of law:

Are those provisions of House Bill No. 186, An Act relating to the fiduciary powers of trust companies and national banks, as proposed to be amended, which provide that no trust



company, similar corporation or national bank shall advertise or circularize the fact that it is authorized to act as executor, in conflict with the Constitution?

*Further Resolved*, that the Speaker transmit a copy of House Bill No. 186, with the proposed amendment, to the Clerk of the Supreme Court for consideration by said court.

On a *viva voce* vote the resolution was adopted.

Mr. Brown of Loudon offered the following resolution :

*Resolved by the House of Representatives*, that the Justices of the Supreme Court be respectfully requested to give their opinion upon the following question of law :

Do the provisions of House Bill No. 303, An Act providing for an income tax, as proposed to be amended, conform to the fundamental law of the State?

*Further Resolved*, that the Speaker transmit a copy of this resolution and the House Bill No. 303 to the Clerk of the Supreme Court for consideration by said Court.

On a *viva voce* vote the resolution was adopted.

Messrs. Ecker and Lavoie of Manchester offered the following resolution :

*Whereas*, it is customary during every session for the past years to observe a commemoration of the death of Christ, and

*Whereas*, Good Friday, occurring April 8, 1955, and

*Whereas*, being publicly mindful and fully appreciative on this eventful anniversary,

*Now Therefore*, we, the members of the House of Representatives, do and hereby resolve to observe at the present moment, a one-minute period of silent meditation to commemorate the sufferings and the death on the Cross, of the Son of God, Our Lord and Saviour Jesus Christ, for the salvation of mankind.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 37, An Act relating to hawkers and peddlers.

House Bill No. 65, An Act relative to liability in the operation of aircraft.

House Bill No. 102, An Act relative to use of binder chains on motor vehicles carrying pulp wood.

House Bill No. 213, An Act relating to school attendance.

House Bill No. 243, An Act relative to requirement for use of so-called mud flaps on certain motor vehicles.

House Bill No. 244, An Act relative to minimum speed regulation of motor vehicles.

House Bill No. 251, An Act relative to protection of illegitimate children.

House Bill No. 276, An Act to regulate the practice of professional engineering.

House Bill No. 295, An Act relative to re-examination of holders of licenses to operate motor vehicles.

House Bill No. 385, An Act relative to the disposition of fines.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 4, An Act relative to write-in votes for nomination as state senator and representative.

Read a third time and passed, and sent to the Senate for concurrence in the amendment.

Senate Bill No. 63, An Act relating to reports of register of deeds.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Ayer of Pittsfield at 1:12 o'clock the House adjourned.

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TUESDAY, APRIL 12, 1955

The House met according to adjournment.

Prayer was offered by the Chaplain.

"Every one of us shall give account of himself to God." O God, our Creator, and to whom we owe our greatest allegiance, so embue us with that deep sense of responsibility to Thee, that we shall put Thee first in the great decisions we are called upon to make. Help us, our Father, to remember that Thou hast com-

mitted to us a great portion of Thy work here on earth, and that day by day, by word and action, we are discrediting or fulfilling that commitment; and remind us always that our responsibility walks hand in hand with our capacity and power to fulfill it.

“We are watchers of a beacon whose light must never die;  
We are guardians of an altar that shows Thee ever nigh;  
We are children of Thy freemen who sleep beneath the sod;  
For the might of Thine arm we bless Thee; our God, our  
fathers’ God!” Amen.

### **Salute to the Flag**

Mrs. Holmes of Amherst led the convention in the salute to the flag.

### **A Cappella Choir**

The convention listened with gratification to songs presented by the Plymouth Teachers College A Cappella Choir, under the direction of Hans P. Jorgensen.

On motion of Mr. Bouvier of Swanzey the House rose to extend their thanks to the choir for their unusual performance.

### **Leaves of Absence**

Messrs. Lang of Manchester and Nadeau of Rochester were granted leaves of absence for the day on account of illness.

Mr. Howe of Claremont was granted an indefinite leave of absence on account of illness.

Messrs. Ashley of Lebanon, Sweeney of Nashua, Green of Rollinsford and Nute of Farmington were granted leaves of absence for the week on account of important business.

Mr. Tobey of Hampton was granted leave of absence for Tuesday and Wednesday on account of important business.

Mrs. Studley of Rochester was granted leave of absence to attend a funeral.

Mr. Spaulding of Hudson was granted leave of absence for the day on account of important business.

### **Introduction of Bills**

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Mr. Rowell of Newport), House Bill No. 489, An Act relative to registration and re-registration of partnerships. To the Committee on Judiciary.

By the Committee on Rules (Mr. Chase of Dover), House Bill No. 490, An Act finding a communist conspiracy in existence and declaring the Communist Party of the United States, including its local components in the state, illegal. To the Committee on Judiciary.

By the Committee on Rules (Mr. Charland of Franklin), House Bill No. 491, An Act relative to the Franklin Veterans' Home Association. To the Special Committee composed of members of Franklin Delegation.

By the Committee on Rules (Mr. Spaulding of Hudson), House Bill No. 492, An Act to authorize the school district of Litchfield to exceed its bonded indebtedness. To the Committee on Executive Departments and Administration.

By the Committee on Rules (Mr. Angus of Claremont), House Bill No. 493, An Act relative to tax exemption for certain installations controlling the disposal of industrial wastes. To the Committee on Municipal and County Government.

By the Committee on Rules (Mr. Spofford of Jaffrey), House Bill No. 494, An Act relative to sufficiency of notice and limitation of action for recovery of support. To the Committee on Executive Departments and Administration.

By the Committee on Rules (Mr. Skinner of Alton), House Bill No. 495, An Act relative to fees for counsel assigned by court in certain cases. To the Committee on Executive Departments and Administration.

By the Committee on Rules (Mr. Chadbourn of Lee) House Bill No. 496, An Act relative to the establishment of soil conservation districts. To the Committee on Agriculture.

By Mr. Pillsbury of Manchester and Mr. Craig of Manchester, House Bill No. 497, An Act establishing a charter for the city of Manchester. To the Special Committee composed of the Delegation from the city of Manchester.

By Mr. Kelley of Littleton, House Bill No. 498, An Act establishing a run-off primary. To the Committee on Judiciary.

By Mr. Poore of Goffstown, House Bill No. 499, An Act to increase the borrowing power of the Goffstown Village Precinct and legalize the proceedings of its annual meeting of March 15, 1955. To the Committee on Executive Departments and Administration.

By Miss Spollett of Hampstead, House Bill No. 500, An Act providing for the acquisition of certain dams and water rights by the water resources board. To the Committee on Executive Departments and Administration.

By Mr. Spaulding of Hudson, House Bill No. 501, An Act authorizing the town of Hudson to fund or refund certain indebtedness. To the Committee on Executive Departments and Administration.

### **Report of Committee on Engrossed Bills**

Mrs. Hundley of Portsmouth, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House and Senate bills:

House Bill No. 10, An Act relative to the designation of bargaining agencies for employees.

House Bill No. 224, An Act relating to motor vehicle financial responsibility.

House Bill No. 232, An Act relative to compensation of appeal tribunal and advisory council members under the unemployment compensation law.

House Bill No. 272, An Act relative to sale of pheasants and chauhkar partridge for resale.

House Bill No. 281, An Act relative to field trials for dogs.

House Bill No. 284, An Act relative to the definition of group life insurance.

House Bill No. 469, An Act legalizing the proceedings at the annual town meeting in Colebrook.

House Bill No. 476, An Act legalizing certain district meetings of the Alton School District.

Senate Bill No. 63, An Act relating to reports of register of deeds.

The report was accepted.

### **Committee Report**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 252, An Act relative



to prerequisites for burial permits and preparation of death certificates, having considered the same, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the first two lines of section 2 by striking out the same and inserting in place thereof the following:

2. *Burials.* Amend section 46 of chapter 168, Revised Laws, as amended by section 4, chapter 98, Laws of 1949 (section 1, chapter 290 R S A) by inserting after the first sentence.

On motion of Mr. Pillsbury of Sandown the House voted to adopt the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

### Printing Dispensed With

On motion of Mr. Rainie of Concord, the rules were suspended to dispense with the printing of House Bill No. 492, An Act to authorize the school district of Litchfield to exceed its bonded indebtedness, and House Bill No. 501, An Act authorizing the town of Hudson to fund or refund certain indebtedness.

### Committee Reports

Mr. Crandall of Dover, for the Committee on Banks, to whom was referred House Bill No. 418, An Act relative to share or share account limits of building and loan associations, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Crandall of Dover, for the Committee on Banks, to whom was referred House Bill No. 423, An Act relative to unsecured loans of building and loan associations, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out section 1 and inserting in place thereof the following: 1. *Building and Loan Associations.* Amend chapter 314 of the Revised Laws (chapter 393 R S A) by inserting after section 13 the following new section: 13-a. *Unsecured Loans.* An association or cooperative bank

may loan its funds in loans insured by the Federal Housing Commissioner under Title I of the National Housing Act of 1934 with all subsequent amendments thereto.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Crandall of Dover, for the Committee on Banks, to whom was referred House Bill No. 428, An Act relative to the powers of the credit committee of credit unions, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the words "are fully secured by shares in said credit union" in the fifth, sixth and sixteenth and seventeenth lines and by inserting in place thereof the words, do not exceed eighty percent of the value of the borrower's shares and that the borrower does not have any other direct or indirect liability to the said credit union, so that said section as amended shall read as follows:

1. *Credit Unions.* Amend section 32 of chapter 315, Revised Laws (section 32, chapter 394 R S A) by inserting at the end of said section the words: provided, however, that by majority vote of the board of directors any credit union may make loans to its members without approval of the credit committee provided such loans do not exceed eighty percent of the value of the borrower's shares and that the borrower does not have any other direct or indirect liability to the said credit union, so that said section as amended shall read as follows: 32. *Credit Committee.* The credit committee shall hold meetings, of which due notice shall be given its members, for the purpose of considering applications for loans, and no loan shall be made unless all members of the committee who are present when the application is considered, and at least two thirds of all the members of the committee, approve the loan and are satisfied that it promises to benefit the borrower, provided, however, that by majority vote of the board of directors any credit union may make loans to its members without approval of the credit committee provided such loans do not exceed eighty percent of the value of the borrower's shares and that the borrower does not have any other direct or indirect liability to the said credit union.

Further amend the bill by inserting after section 1 the following new section:

2. *Sale of Checks.* Amend chapter 316 of the Revised Laws, by inserting after section 50 the following new section:

51. *Sale of Checks.* The commissioner upon petition of the board of directors of a credit union may authorize said credit union, under regulations made by him, to sell negotiable checks and drafts issued by it or drawn by or on it payable by or through a trust company or a national banking association.

Further amend the bill by renumbering section 2 to read section 3.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 215, An Act relative to the posting of land adjacent to woodlands, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted.

On motion of Mr. Clement of Landaff, House Bill No. 215 was recommitted to the Committee on Fish and Game.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 270, An Act relative to the taking of lake trout, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

(Discussion ensued)

Mrs. Gardner of Gilford spoke in favor of the resolution of the Committee and asked that her statements be printed in the Journal.

On a *viva voce* vote the resolution of the committee was adopted.

#### Remarks of Mrs. Gardner of Gilford

House Bill No. 270, An Act relative to the taking of lake trout, would have allowed the taking of lake trout through a

natural opening in the ice, with a rod and reel, from January first to April first. The purpose of this bill was to reinstate a regulation which was in effect prior to January 1, 1954.

Thursday afternoon I met with the director of Fish and Game. He has assured me that this regulation will be complied with if the proponents of the bill, and their constituents, will appear at the public hearing, directed by law, to be held in July. The season affected this year has already passed.

I have no doubt the promise made me by the director was sincere; therefore, the members from Manchester and I, the sponsors, are accepting the committee's resolution, inexpedient to legislate.

Mrs. Frizzell of Charlestown, for the Committee on Judiciary, to whom was referred Senate Bill No. 60, An Act relating to the return day of executions issued by the superior court, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 264, An Act relating to escapes from state prison, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Brown of Loudon moved that the words "ought to pass" be substituted for the words, inexpedient to legislate.

The question being on the motion.

(Discussion ensued)

Mr. Brown of Loudon spoke in favor of the motion.

Mr. Craig of Manchester spoke against the motion.

On a *viva voce* vote the motion to substitute did not prevail.

The question being on the resolution of the committee.

On a *viva voce* vote the resolution of the committee was adopted.

### Special Order

Mr. Faulkner of Keene called for the Special Order for 11:01 o'clock; it being:

House Bill No. 237, An Act relative to unemployment compensation.

The question being on the amendment offered by the committee. (Amendment found in the Journal for Wednesday, April 6.)

(Discussion ensued)

Mr. Angus of Claremont spoke in favor of the amendment.

Mr. Lavoie of Manchester offered the following amendment:

Amend said bill by striking out section 21 and inserting in place thereof the following new sections:

21. *Weekly Benefit Rate.* Amend subsection B of section 2 of chapter 218 of the Revised Laws, as amended by section 5, chapter 56 of the Laws of 1943, chapter 78 of the Laws of 1945, section 7, chapter 59 of the Laws of 1947, section 1, chapter 30 of the Laws of 1949, section 2, chapter 34 of the Laws of 1951, chapter 65 of the Laws of 1953, and chapter 7 of the Laws of 1955, (subsection B, section 2, chapter 282, RSA) by striking out the whole of the same and inserting in place thereof the following: B. *Weekly Benefit Amount for Total Unemployment and Maximum Total Amount of Benefits payable During Any Benefit Year.* (1) Each eligible individual who is totally unemployed in any week shall be paid with respect to such week benefits in the amount shown in column B of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class except as otherwise provided in paragraph (2) of this subsection. The maximum total amount of benefits payable to any eligible individual during any benefit year shall be the amount shown in column C of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class except as otherwise provided in paragraph (2) of this subsection.



A	B	C
Total Annual Earnings in Base Period	Weekly Benefits Amount	Maximum Benefits
\$300.00 - \$349.99	\$7	\$182
350.00 - 399.99	8	208
400.00 - 499.99	9	234
500.00 - 599.99	10	260
600.00 - 699.99	11	286
700.00 - 799.99	12	312
800.00 - 899.99	13	338
900.00 - 999.99	14	364
1000.00 - 1099.99	15	390
1100.00 - 1199.99	16	416
1200.00 - 1299.99	17	442
1300.00 - 1399.99	18	468
1400.00 - 1499.99	19	494
1500.00 - 1599.99	20	520
1600.00 - 1699.99	21	546
1700.00 - 1799.99	22	572
1800.00 - 1899.99	23	598
1900.00 - 1949.99	24	624
1950.00 - 1999.99	25	650
2000.00 - 2099.99	26	676
2100.00 - 2199.99	27	702
2200.00 - 2299.99	28	728
2300.00 - 2399.99	29	754
2400.00 - and over	30	780

(2) If at any time the fund shall fail to equal or fail to exceed twelve million dollars and shall be maintained at less than that figure for a period of two consecutive calendar months, each eligible individual who is totally unemployed in any week shall be paid with respect to such week benefits in the amount shown in column B of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class. The maximum total amount of benefits payable to any eligible individual during any benefit year shall be the amount shown in column C of the schedule delineated in this paragraph on the line on which in column A there is indicated the individual's annual wage class. The schedule delineated in this paragraph shall take effect on

the first day of the month immediately following the two-month period in this paragraph above mentioned.

A	B	C
Total Annual Earnings in Base Period	Weekly Benefits Amount	Maximum Benefits
\$300.00 - \$349.99	\$6	\$138
350.00 - 399.99	7	161
400.00 - 499.99	8	184
500.00 - 599.99	9	207
600.00 - 699.99	10	230
700.00 - 799.99	11	253
800.00 - 899.99	12	276
900.00 - 999.99	13	299
1000.00 - 1099.99	14	322
1100.00 - 1199.99	15	345
1200.00 - 1299.99	16	368
1300.00 - 1399.99	17	391
1400.00 - 1499.99	18	414
1500.00 - 1599.99	19	437
1600.00 - 1649.99	20	460
1650.00 - 1699.99	21	483
1700.00 - 1799.99	22	506
1800.00 - 1899.99	23	529
1900.00 - and over	24	552

(3) It being further provided that in the event the provisions of paragraph (2) of this subsection become effective, the provisions of paragraph (1) of this subsection shall not again become effective for any benefit year thereafter unless the fund shall equal or exceed twelve million dollars during the two consecutive months immediately preceding the beginning of that benefit year.

22. *Benefit Eligibility Conditions.* Amend subparagraph (2) of subsection D of section 3 of chapter 218 of the Revised Laws, as amended by section 2, chapter 7, Laws of 1955, by striking out the word "four" and inserting in place thereof the word, three, so that said paragraph as amended shall read as follows: (2) Unless he has annual earnings of not less than three hundred dollars within the base period in accordance with subsection P (2) of section 1.

23. *Takes Effect.* The provisions of sections 21 and 22 shall take effect as of April 1, 1955, and benefits for all payable weeks ending after April 1, 1955 shall be paid and treated in all respects in accordance with the provisions of the unemployment compensation law as amended by said sections 21 and 22. The remaining sections of this act shall take effect upon its passage.

The question being on the amendment.

(Discussion ensued)

Messrs. Lavoie, Ecker, Craig and Gamache of Manchester and Payeur of Pembroke spoke in favor of the amendment.

Messrs. Dana of Laconia, Haley of Keene and Angus of Claremont spoke against the amendment.

Mr. Pillsbury of Manchester moved that the amendment be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Mr. Pillsbury of Manchester spoke in favor of the motion.

Mr. Lavoie of Manchester spoke against the motion.

On a *viva voce* vote the Chair was in doubt and called for a division.

A division being had, 206 members having voted in the affirmative, and 81 members having voted in the negative, the motion to indefinitely postpone prevailed.

The question being on the amendment offered by the committee.

On a *viva voce* vote the amendment was adopted.

Mrs. St. Pierre of Rochester demanded the yeas and nays but subsequently withdrew her demand.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 224, An Act relating to motor vehicle financial responsibility.

House Bill No. 281, An Act relative to field trials for dogs.

House Bill No. 284, An Act relative to the definition of group life insurance.

House Bill No. 339, An Act relative to taking otter during open season for taking beaver.

House Bill No. 394, An Act relative to annual reports by small loan licensees.

House Bill No. 476, An Act legalizing certain district meetings of the Alton School District.

House Bill No. 469, An Act legalizing the proceedings at the annual town meeting in Colebrook.

The message further announced that the Senate had voted to adopt the following concurrent resolution and ask the concurrence of the House of Representatives:

*Resolved by the Senate, the House of Representatives concurring:*

That the General Court of New Hampshire urges the Congress of the United States to enact House Resolution 5255 entitled, A Bill to authorize the coinage of 50-cent pieces to commemorate the construction of the New Hampshire Marine Memorial as the first memorial in the United States in honor of men and women who lost their lives at sea in all wars, which is to be erected at Hampton Beach, New Hampshire, now pending in the United States House of Representatives, as introduced by Representative Chester Merrow of New Hampshire.

*Be it Further Resolved*, That the Secretary of State transmit certified copies of this resolution to the Senators and Representatives of New Hampshire in the Congress, and to the Speaker of the House of Representatives and the President of the Senate of the Congress of the United States.

On motion of Mr. Chase of Dover, the House voted to concur in the concurrent resolution sent down from the Honorable Senate.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 274, An Act relating to title of unlicensed dogs by humane societies.

Amend section 1 of the bill by striking out in line 5 the word "seven" and inserting in place thereof the word, ten.

Further amend said section by striking out in line 7 the word "seven" and inserting in place thereof the word, ten.

So that said section as amended shall read as follows: 1. *Humane Societies*. Amend chapter 180 of the Revised Laws (chapter 466, RSA) by inserting after section 22 the following new section: 22-a. *Title to Unlicensed Dogs by Humane Societies*. Whenever an incorporated society for the prevention of cruelty to animals shall keep and maintain for ten consecutive days an unlicensed dog whose owner is unknown, full title to said unlicensed dog shall pass to said society at the end of said ten day period, unless the owner of said dog shall, before the expiration of said period, cause said dog to be licensed and shall pay said society the sum of one dollar per day for each day said dog has been kept and maintained by said society.

Mr. Brown of Loudon moved that the House non-concur in the Senate amendment and that a Committee of Conference be appointed.

The question being on the motion.

(Discussion ensued)

Mr. Brown of Loudon spoke in favor of the motion.

Messrs. Rainie of Concord and Gardner of Littleton spoke against the motion.

On a *viva voce* vote the motion to non-concur did not prevail.

Mr. Hambleton of Goffstown moved that the House concur in the Senate amendments.

On a *viva voce* vote the motion prevailed and the bill was sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 11, An Act relative to education of children placed in homes for children.

Senate Bill No. 71, An Act relating to false reports of crime.



### Senate Bill Read and Referred

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

By Senator Cleveland of District No. 7, Senate Bill No. 11, An Act relative to education of children placed in homes for children. To the Committee on Education.

By Senator Powell of District No. 9, Senate Bill No. 71, An Act relating to false reports of crime. To the Committee on Executive Departments and Administration.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 237, An Act relative to unemployment compensation.

House Bill No. 418, An Act relative to share or share account limits of building and loan associations.

House Bill No. 423, An Act relative to unsecured loans of building and loan associations.

House Bill No. 428, An Act relative to the powers of the credit committee of credit unions.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 60, An Act relating to the return day of executions issued by the superior court.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Miss Bailey of Newport at 2:04 o'clock the House adjourned.

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WEDNESDAY, APRIL 13, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O Lord Jesus Christ, Who by word and deed, didst teach a just social order among all people, when Thou was here and

walked among men; help us today to uphold that same social relationship in our dealings with one another. Deliver us from the greed of gain that so disrupts human relationships; from race and class prejudice, forgetting that we are all God's children, regardless of the language we speak or the color we wear; from religious prejudice that would lead any to claim a corner on the Kingdom of God and disfranchise others. We beseech Thee to inspire us with such love toward our neighbor, and concern for one another's welfare, that we shall work together with one heart and will to secure equality of opportunity and due reward for all.

Through the same, Jesus Christ our Lord. Amen.

### **Salute to the Flag**

Mr. Langlois of Manchester led the convention in the salute to the flag.

### **Guest**

The Speaker introduced Congressman Perkins Bass of the Second Congressional District who addressed the House briefly.

### **Leaves of Absence**

Messrs. Lessels of Concord, Rice of Peterborough, and Burke of Franklin were granted leaves of absence for the day on account of illness.

Mr. Leclerc of Manchester was granted an indefinite leave of absence on account of illness.

### **Committee Reports**

Mr. Dowd of Concord, for the Committee on Education, to whom was referred House Bill No. 341, An Act relative to payment of tuition of high school pupils, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 135, An Act relating to the taxation of house trailers, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 413, An Act relative to the payment of motor vehicle road tolls by counties, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 430, An Act relative to orders of mayor and aldermen or selectmen for muzzling and restraining dogs, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 446, An Act relative to members of the county convention who are not members of the legislature, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Rogers of Laconia, for the Committee on Public Works, to whom was referred House Bill No. 192, An Act relative to railroad overhead bridges and underpasses and clearings of grade crossing quadrants, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Study of Apportionment of Costs.* The Commissioner of Public Works and Highways and the Public Utilities Commission are hereby directed to study the present manner of apportioning the cost of construction and the cost of maintenance of highway and railroad underpasses and overpasses between railroads, (operating in this state) and the state; or be-

tween such railroads and municipalities as the case may be, and to study the manner in which such apportionment might be made in the future in order to provide an equitable method of apportionment consonant with present day conditions, and the relative benefits derived from such structures by the railroads and the state, or between the railroads and municipalities, as the case may be. The Commissioner of Public Works and Highways and the Public Utilities Commission are directed to elicit the suggestions and cooperation of the railroads operating in this state in this study; and not later than October 1, 1956, the Commissioner of Public Works and Highways and the Public Utilities Commission shall make recommendations to the Legislative Council for a more equitable method of apportionment of such costs so that legislation may be framed for the consideration of the General Court at the 1957 session.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 290, An Act banning all motorboating on all reclaimed trout ponds, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 291, An Act relative to use of outboard motors for fishing on reclaimed ponds, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 359, An Act relative to maintenance of the Hooksett Village Bridge in the town of Hooksett, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred Senate Joint Resolution No. 2, Joint Resolution relating to the placement of certain obsolete artillery, having considered the same, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the resolution as amended ought to pass:

Amend said resolution by striking out the last three paragraphs thereof and inserting in place thereof the following:

Such agreement shall provide that the piece or pieces shall be used for museum purposes only within the state of New Hampshire and shall be made accessible to the public from time to time, and with the further proviso that at any time whenever the adjutant general shall find that the terms of the agreement are not being complied with he may demand the return of said property to the state. In the case of such return the adjutant general shall pay to said Filleul or his heirs or assigns a sum not to exceed the original cost of restoration.

On motion of Mr. Chase of Dover the amendment offered by the Committee on Engrossed Bills was adopted, and the bill sent to the Senate for concurrence.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 394, An Act relative to annual reports by small loan licensees.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to annual reports by small loan licensees and the issuance of licenses for small loan business.

Amend section 2 of said bill by striking out the word "shall" in the fifth line.

Amend section 3 of said bill by inserting before the word "April" the words, as of, so that said section as amended shall read as follows:



3. *Takes Effect.* This act shall take effect as of April 1, 1955.

On motion of Mr. Geisel of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 111, An Act relative to special fish and game licenses for members of the armed forces of the United States.

Amend section 1 of said bill by inserting before the word "active" in the fourth line, the word, regular, so that said section as amended shall read as follows:

1. *Resident Members of the Armed Services.* Amend section 1 of chapter 103 of the Laws of 1953 (section 3, chapter 214, RSA) by striking out said section and inserting in place thereof the following: 1. *Fish and Game Licenses.* Any resident of this state who is on regular active duty with any branch of the armed forces of the United States, may make application to the director of fish and game or his agent for a special license to hunt and fish. Such applicant shall submit satisfactory evidence of his membership in such service of the United States, and the director, or his agent, may in his discretion, issue to such applicant a special license which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds, game animals, fish and salt water smelt, under the restrictions of Title XX of the Revised Laws, except as otherwise provided in this section. Such license shall have marked or stamped thereon the words "resident servicemen's license." There shall be no fee for such a license.

Amend section 2 of said bill by inserting before the word "active" in the fourth line, the word, regular, so that said section as amended shall read as follows:

2. *Non-resident Members of the Armed Services.* Amend section 2 of chapter 103 of the Laws of 1953 (section 4, chapter 214, RSA) by striking out said section and inserting in place thereof the following: 2. *Non-residents.* Any non-resident who is on regular active duty with any branch of the armed forces of the United States who is quartered in the state, or who is a guest of a resident, may make application to the director or his agent for a special license to hunt and fish as provided in the preceding section for residents. Such license for a non-resident shall have marked or stamped thereon the words "non-resident servicemen's license" and the fee to be paid to the director or his agent for such license shall be the same as that for a regular resident combination hunting and fishing license.

On motion of Mr. Willey of Campton the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 16, An Act relative to special sessions of probate courts.

Senate Bill No. 44, An Act relative to trespassing stock.

Senate Bill No. 78, An Act relating to Wolfeboro Village Fire Precinct.

### **Senate Bills Read and Referred**

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

By Senator Washburn of District No. 4, Senate Bill No. 16, An Act relative to special sessions of probate courts. To the Committee on Judiciary.

By Senator Packard of District No. 16, Senate Bill No. 44, An Act relative to trespassing stock. To the Committee on Agriculture.

By Senator Washburn of District No. 4, Senate Bill No. 78, An Act relating to Wolfeboro village fire precinct. To the Committee on Executive Departments and Administration.

### Resolutions

Mr. Mailloux of Pelham offered the following resolution:

*Whereas*, Charles W. Hobbs, Sr., former Representative from Pelham, is ill in the V. A. Hospital, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, hereby extend our sympathy to former Representative Hobbs in his illness and our best wishes for a speedy recovery to health, and be it further

*Resolved*, that the Clerk of the House transmit to Mr. Hobbs a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mrs. DeLude of Unity offered the following resolution:

*Whereas*, Arthur F. Howe, Representative from Claremont, is seriously ill in a Claremont hospital, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, extend to our fellow representative in his illness, our sincere sympathy and our best wishes for a speedy recovery, and be it further

*Resolved*, that the Clerk transmit a copy of these resolutions to Representative Howe.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Bill No. 135, An Act relating to the taxation of house trailers.

House Bill No. 192, An Act relative to railroad overhead bridges and underpasses and clearings of grade crossing quadrants.

House Bill No. 341, An Act relative to payment of tuition of high school pupils.

House Bill No. 413, An Act relative to the payment of motor vehicle road tolls by counties.

House Bill No. 430, An Act relative to orders of mayor

and aldermen or selectmen for the muzzling and restraining of dogs.

House Bill No. 446, An Act relative to members of the county convention who are not members of the legislature.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Cary of Manchester at 12:05 o'clock the House adjourned.

THURSDAY, APRIL 14, 1955.

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rt. Rev. Msgr. J. E. Vaccarest, Pastor of St. Marie's Church in Manchester.

Let us pray.

Almighty God, we are conscious of Thy presence in our midst, because Thou art everywhere.

For this reason we begin our invocatin with a prayer of Adoration.

We, the citizens of the Commonwealth of New Hampshire in the United States of America, publicly confess our belief in Thy existence as a personal being and in Thy right to supreme domain over creation, above all in Thy right to command the consciences of men.

Secondly, we pronounce with deep reverence, a prayer of Thanksgiving. We are grateful for Thy numerous and repeated blessings on our Nation, and chiefly, on our beloved State.

We admit, in a prayer of Contrition, our many transgressions against Thy commandments in our personal lives as well as in our civic collective conscience: in true humility we beg for forgiveness and offer promise of amendment.

Finally, we make a prayer of Petition, a prayer of asking, in which, we ask for Thy continued providential care of America and of our Granite State.

Guide His Excellency, our Governor, His Executive Council, the Senator and Representatives of this august Assembly, the Judges of our courts and their respective delegates in all their decisions, in every step, so that the fulfillment of their duties to their constituents be in keeping always with Thy eternal laws and their reflection in the natural law.

### Salute to the Flag

Senator Daniel of District No. 19 led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Rice of Peterborough and Weeks of Wolfeboro were granted leaves of absence for the day on account of illness.

Messrs. Pillsbury of Manchester, Spaulding of Hudson, and Pinkham of Northwood were granted leaves of absence for the day on account of important business.

### Personal Privilege

Mr. Lavoie of Manchester rose on a matter of personal privilege. He asked the Chair to interpret the Rule of Indefinite Postponement as it applied to an amendment.

The Chair ruled as follows:

(1) That the point of order is not well taken because it is clear that the interpretation of a rule by a Speaker on a point of parliamentary law should be asked for during the course of debate and not at another time as a matter of academic discussion. The request for an interpretation at this time is moot, and an explanation will not aid in the disposition of any matter at hand. To rule otherwise would be to have the Chair act as an instructor in parliamentary procedure and open up for discussion all matters pertaining to interpretation of a part or of the whole of the parliamentary code. Obviously, this would operate to unduly delay the session and act to frustrate the purpose of the session, namely, the advancement of legislation in its normal course.

(2) The Chair further denies the request because of the fact that the rule is so widely ramified in its various aspects that it would be a time-consuming venture to interpret all of the possibilities.

(3) The Chair also denies the request on the grounds that it being for purely informative purposes, the member has the opportunity to discuss such matters with the Speaker in his office at times that do not deprive his colleagues of their right to proceed in legislative matters.

(4) The Chair, therefore, rules that the time to inquire on a point of order is when the parliamentary situation is such that a doubt exists in the minds of the member or members as to the true status of the issue or questions before the House,



which doubt can only be resolved by the Speaker determining the point raised.

### Introduction of a Joint Resolution

On motion of Mr. Angus of Claremont, the rules of the House were suspended, to allow the introduction of a joint resolution:

House Joint Resolution No. 51, Joint Resolution relative to purchase of Salk poliomyelitis vaccine by the state, was introduced, read a first and second time, laid upon the table to be printed, and referred to the Committee on Public Health.

Mr. Angus of Claremont moved that the rules be further suspended to dispense with the printing and reference to Committee of House Joint Resolution No. 51.

The question being on the motion.

(Discussion ensued)

Messrs. Angus of Claremont, Faulkner of Keene and Scamman of Stratham spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

On motion of Mr. Pickett of Keene, the rules were further suspended to allow the third reading, by title only, and final passage at the present time of House Joint Resolution No. 51.

House Joint Resolution No. 51, Joint Resolution relative to purchase of Salk poliomyelitis vaccine by the state, was read a third time and passed and sent to the Senate for concurrence.

### Committee Reports

Mr. Davis of Cornish, for the Committee on Agriculture, to whom was referred House Bill No. 412, An Act relative to the suppression of forest pests, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Davis of Cornish, for the Committee on Agriculture, to whom was referred House Bill No. 478, An Act relative to board of veterinary examiners and qualifications for veterinary licenses, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Licenses.* Amend section 11 of chapter 255, Revised Laws (section 12, chapter 332, R S A) by striking out the same and inserting in place thereof the following: 11. *Temporary Eligibility for Examination and License.* Any person who is a graduate of a veterinary college not on the recognized list, as provided in section 9, which college had or has a course of study of not less than four school years of not less than six months each may be granted a temporary internship license for a period of five years, provided said person is employed by and practices his profession under the supervision of a duly licensed veterinarian practicing in the state. At the expiration of said five-year period said person holding such temporary license shall be eligible to apply for and to take the examination provided in section 9 provided he has retained his residence in the state for said period and has practiced under said temporary license under the supervision of a duly licensed veterinarian practicing in the state. Upon passing said examination said applicant shall be granted a license as provided in section 10. Any person who is a graduate of a veterinary college recognized as provided for in section 9, may be granted a temporary internship license without examination for a period not to exceed two years, providing said person is employed by and practices his profession under the supervision of a duly licensed veterinarian practicing in the state. Any person who, under the law existing prior to March 7, 1901, was entitled to practice veterinary medicine in the state, shall upon application to the board of veterinary examiners be granted a license without examination and shall be permitted to use the title "Licensed Veterinarian."

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Shattuck of Danville, for the Committee on Education, to whom was referred Senate Bill No. 37, An Act continuing the commission to study the use of assigned television channels for educational purposes, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Faulkner of Keene, for the Committee on Judiciary, to whom was referred Senate Bill No. 8, An Act relative to inheritance taxation, having considered the same, reported the same

with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Inheritance Taxes.* Amend section 15-a of chapter 87 of the Revised Laws as inserted by section 3, chapter 144, Laws of 1945 (section 22, chapter 86, R S A) by striking out said section and inserting in place thereof the following: 15-a. *Report of Gifts and Transfers.* Every executor and administrator shall within six months from the date of his appointment file with the appropriate register of probate and with the division of inheritance taxes, state tax commission, upon a form prescribed by that division, a report of the following so far as the same shall come to his knowledge:

I. A report of all transfer of real and personal property made by the decedent in contemplation of death or to take effect in possession or enjoyment at or after death.

II. A report of all transfers of real and personal property during the last two years of the decedent's life if the property has a value of over five hundred dollars, except bona fide sales for a reasonable consideration in money or money's worth.

III. A report of all real and personal property held in joint tenancy by the decedent at the time of his death and the names and addresses of the survivors, if known.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Carignan of Rochester, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 471, An Act establishing certain positions at the state hospital, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the amending clause and inserting in place thereof the following: Amend chapter 17 of the Revised Laws as amended by section 12, chapter 265 of the Laws of 1953 (chapter 135, R S A) by inserting after section 2-b the following new section; further amend section 1 by inserting after the word "referred" in the ninth and tenth lines the words, to the state hospital or its agents, so that said section

as amended shall read as follows. 1. *State Hospital* Amend chapter 17 of the Revised Laws as amended by section 12, chapter 265 of the Laws of 1953 (chapter 135, R S A) by inserting after section 2-b the following new section: 2-c. *Directors*. There are hereby established positions of, director of psychiatric education and research; director of clinical services; director of out-patient services; director of correctional psychiatry. These, together with the assistant superintendent and superintendent, will be responsible for the determination and implementation of all policy matters relating to the medical care of patients at the state hospital and all other persons referred to the state hospital or its agents for psychiatric assistance, and will perform such other duties as may be assigned by the superintendent. The superintendent, with the approval of the board of trustees, shall appoint qualified medical personnel as the director of clinical services, the director of psychiatric education and research, the director of out-patient services, and the director of correctional psychiatry. These positions shall carry with them an annual salary as set forth in chapter 265, Laws of 1953 as amended.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Rogers of Laconia, for the Committee on Public Works, to whom was referred House Joint Resolution No. 11, Joint Resolution relative to repairs to a bridge crossing the Connecticut river between Dalton, New Hampshire and Lunenburg, Vermont.

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred House Bill No. 86, An Act relative to tractors or trucks used on snow and snowmobiles, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by pending legislation.

The report was accepted and the resolution of the committee adopted.

Mr. Sleeper of Haverhill, for the Committee on Transpor-

tation, to whom was referred House Bill No. 110, An Act relative to agricultural vehicles and trucks, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out said section and inserting in place thereof the following:

1. *Agricultural Trucks.* Amend paragraph IV of section 1 of chapter 118 of the Revised Laws as amended by section 1, chapter 48, Laws of 1945, section 2, chapter 273, Laws of 1947, and section 1, chapter 76, Laws of 1953, (paragraph V, section 1, chapter 262, R S A) by striking out the words "each tractor or truck used only on snow and each snowmobile" in the eighth and ninth lines and by striking out the word "five" in the twelfth line and inserting in place thereof the word, ten, so that said paragraph as amended shall read as follows: IV. For each road oiler or bituminous distributor the fee shall be seventy-five dollars. For each tractor used for agricultural purposes only, each vehicle of the tractor type used for agricultural purposes only and used to draw another vehicle in such a way that a part of the load is carried on such towing vehicle, each tractor used for power purposes only that does not haul loads on the public highways except as hereinbefore provided for tractor type vehicles, two dollars. Each commercial vehicle or truck used for agricultural purposes only and used on the public highways within a radius of ten miles from the main entrance of the farm upon which said vehicle is operated, or used to transport animals and agricultural products to agricultural fairs and exhibits for exhibition purposes only, two dollars, provided that such vehicle under such limited registration shall not be used for the purpose of transporting products for sale or for hire. For each farm truck of a total weight, determined as provided in paragraph III of this section, used only for the transportation of agricultural products produced on, and meant to be used in connection with the operation of, a farm or farms owned, operated or occupied by the registrant, the fee shall be twenty-five dollars, for the first sixteen thousand pounds and at the same rates as set forth in paragraph III of this section for any additional weight above sixteen thousand pounds, provided that a farm truck so registered shall not be used for the transportation of wood and lumber for sale other than from such farms on which the production of wood and lumber is in-



cidental to other farm operations, nor shall such trucks be used for the retail delivery of milk. In the event that a farm truck registered under the twenty-five dollar fee as hereinbefore provided is thereafter registered for general use during the same registration year such fee shall be applied toward the fee for such general registration.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mrs. Dondero of Portsmouth, for the Special Committee consisting of the members from the city of Portsmouth, to whom was referred Senate Bill No. 17, An Act relative to the salary of the justice of the municipal court of Portsmouth, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of said bill by inserting after the word "justice" the words, and special justices, so that said title as amended shall read as follows:

An Act relative to the salary of the justice and special justices of the municipal court of Portsmouth.

And the bill by inserting after section 1 a new section as follows:

2. *Associate Justice.* Amend section 4 of said chapter 377 as amended by chapters 179 and 260 of the Laws of 1947, chapters 26, 105, 213, 239 and 251 of the Laws of 1953 by striking out in the eleventh line the word "four" and inserting in place thereof the word, eight, so that said section as amended shall read as follows:

4. *Compensation of Special Justices.* The special justice and justice of the peace requested to sit owing to the disqualifications of the justice and special justice shall be paid, from the treasury of the city or town wherein said court is located, ten dollars a day for each day or part thereof that he shall serve in said capacity, provided that the annual salaries of the special justices of the municipal courts of the following cities and town shall be as follows, of Manchester two thousand dollars, of Nashua seventeen hundred dollars, of Dover two hundred dollars, of Concord one thousand dollars, of Portsmouth eight hundred dollars, of Laconia two hundred dollars and of Hampton one hundred and fifty dollars, to be paid by

said cities and town, respectively, quarterly, and shall be in lieu of any other compensation or fees to such justices; provided, further, that the special justice of the municipal court of Berlin shall be paid from the treasury of the city six hundred dollars per annum.

The report was accepted.

The question being on the amendment.

Mr. Pickett of Keene offered the following amendment:

Amend section 1 of the bill by striking out the words "one thousand eight hundred dollars" in the sixteenth line (printed bill) and inserting in place thereof the words, two thousand two hundred dollars.

The question being on the amendment.

(Discussion ensued)

Messrs. Pickett, Faulkner, and Waling of Keene spoke in favor of the amendment.

Messrs. Rainie of Concord and McCullough of Keene spoke against the amendment.

Mr. Pickett of Keene withdrew his amendment.

The question being on the amendment offered by the committee.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

### **Report of Committee on Engrossed Bills**

Mr. Ballentine of Laconia, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bills:

House Bill No. 34, An Act relating to the use of facsimile signatures in the drawing of checks by the treasurers of public bodies.

House Bill No. 68, An Act relative to water pollution, reclamation projects.

House Bill No. 139, An Act relative to notices for meetings of the city council of Concord.

House Bill No. 286, An Act establishing plant and seed certification.

House Bill No. 320, An Act authorizing the town of Newport to fund or refund its indebtedness.

House Bill No. 368, An Act extending the powers of the Plymouth Village Fire District.

House Bill No. 274, An Act relating to the title to unlicensed dogs by humane societies.

House Bill No. 269, An Act relative to the federal soil conservation and domestic allotment act.

House Bill No. 316, An Act licensing bulk milk collector tank drivers and concerns operating bulk milk collection tank routes in New Hampshire.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 26, An Act providing for the application of motor vehicle laws on highways on land owned by the United States of America.

House Bill No. 183, An Act relating to satisfaction of judgments by motor vehicle owners and operators.

House Bill No. 196, An Act relative to exceptions to foreign corporations operating motor vehicles in intrastate commerce.

House Bill No. 225, An Act relating to repeal of motor vehicle liability bond provisions.

House Bill No. 318, An Act to amend the religious corporations law in relation to the incorporation or Orthodox parishes.

House Bill No. 321, An Act to increase the borrowing power of the Central Hooksett Water Precinct.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 339, An Act relative to taking otter during open season for taking beaver.

Amend the first two lines of section 1 by striking out the same and inserting in place thereof the following:

1. *Fur-bearing Animals.* Amend section 1 of chapter 244 of the Revised Laws (section 1, chapter 210, RSA) as amended by chapter 65, Laws of 1955, by striking out said section and

On motion of Mr. Jones of Lebanon the House concurred in the amendments, offered by the Committee on Engrossed Bills, sent down from the Honorable Senate.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 350, An Act relative to workmen's compensation.

Amend section 12 of said bill by striking out the words "upon its passage" and inserting in place thereof the words and figure, as of July 1, 1955, so that said section as amended shall read as follows:

12. *Takes Effect.* This act shall take effect as of July 1, 1955.

On motion of Mr. Angus of Claremont the House concurred in the amendments sent down from the Honorable Senate.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 65, An Act relative to retirement system for firemen.

### **Senate Bill Read and Referred**

The following Senate bill was introduced, read a first and second time, and referred as follows:

By Senator Caron of District No. 17, Senate Bill No. 65, An Act relative to retirement system for firemen. To the Committee on Labor.

### **Order Vacated**

Mrs. Brungot of Berlin moved that the order whereby Senate Bill No. 74, An Act legalizing a meeting of the Coos

County Convention was referred to the Committee on Executive Departments and Administration, be vacated, and the bill be referred to the Special Committee consisting of the Delegation from the County of Coos.

The question being on the motion.

(Discussion ensued)

Mrs. Brungot and Mr. Fortier of Berlin and Mrs. Dondero of Portsmouth spoke in favor of the motion.

Messrs. Rainie of Concord, Angus of Claremont, and Bishop of Gorham spoke against the motion.

On a *viva voce* vote the motion to vacate prevailed.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 110, An Act relative to agricultural vehicles and trucks.

House Bill No. 471, An Act establishing certain positions at the state hospital.

House Bill No. 478, An Act relative to board of veterinary examiners and qualifications for veterinary licenses.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 8, An Act relative to inheritance taxation.

Senate Bill No. 17, An Act relative to the salary of the justice and special justices of the municipal court of Portsmouth.

Severally read a third time and passed and sent to the Senate for concurrence in the amendment.

Senate Bill No. 37, An Act continuing the commission to study the use of assigned television channels for educational purposes.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Reney of Grantham at 1:10 o'clock the House adjourned.



TUESDAY, APRIL 19, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. William B. Wylie, Pastor of the Fremont and Sandown Methodist Churches.

Most gracious and Holy Father of us all. Thou Who art the creator of all things, and with Whom nothing is impossible. Grant, we beseech Thee, that those gathered here in this place, Whom Thou hast chosen through others of Thine own, to guide the destinies of our beloved state, shall as they proceed with their God-given responsibilities, have a clear vision of those things, which, according to Thine own wisdom are right and honorable.

We seek the manifestation of Thy heavenly blessing upon the governor as leader, and all others representing Thy various communities of children. Wilt Thou clear their hearts of all things which may stand in the way of desire to serve Thee as they serve others.

Bestow upon them, the strength, born of knowledge of Thee, that shall enable them to serve Thee, before and above all else. In the Master and Saviour Christ's Holy Name we ask it. Amen.

### Salute to the Flag

Mr. Pillsbury of Sandown led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Vaughn of Bow and Pinkham of Northwood were granted leaves of absence for the day on account of important business.

Messrs. Wilman of Northfield and Carignan of Rochester were granted leaves of absence for the week on account of important business.

Mr. Lang of Manchester was granted leave of absence for the week on account of illness.

Mr. Sweeney of Keene was granted an indefinite leave of absence on account of illness.

Mr. Schricker of Manchester was granted a leave of absence for Tuesday and Wednesday on account of death in the family.

### Committee Reports

Mrs. Payette of Portsmouth, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 386, An Act relative to forms for collection of bounties, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Willey of Campton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 457, An Act providing for a study of the jurisdiction of municipal courts or district courts, having considered the same, reported the same with the recommendation that the bill ought to pass.

Mr. Willey of Campton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 482, An Act legalizing the annual meeting in the town of Canterbury, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Atkins of Hanover, for the Committee on Judiciary, to whom was referred House Bill No. 383, An Act relative to the distribution of property to legatees, distributees or beneficiaries outside the United States, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by adding at the end thereof the following: A copy of any such further order by the probate court shall be filed with the director, division of inheritance taxes, state tax commission, so that said section as amended shall read as follows:

1. *Distributees Outside the Territorial Limits of the United States of America.* Amend chapter 360 of the Revised Laws (chapter 561, R S A) by inserting after section 12 the following new section: 12-a. *Delivery Deferred.* When it appears that a legatee, distributee, cestui or beneficiary not residing within the territorial limits of the United States of America or any

territorial possession thereof would not have the benefit or use or control of property due him and that special circumstances make it desirable that delivery to him be deferred, the probate court may order that such property be converted into available funds and paid to the state treasurer to be invested by him and, together with any proceeds thereof, to be handled subject to such order as such probate court may enter, provided a reasonable fee, as allowed by the court, of the attorney for any such legatee, distributee, cestui or beneficiary shall be considered a lien on such funds and shall be paid by the fiduciary having such funds in charge to such attorney prior to payment to the state treasurer. A copy of any such further order by the probate court shall be filed with the director, division of inheritance taxes, state tax commission.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Beamis of Somersworth, for the Committee on Judiciary, to whom was referred House Bill No. 369, An Act to establish the rights and qualifications of non-resident real estate owners to vote, having considered the same, reported the same with the recommendation that the bill be referred to the Judicial Council for study and report its findings to the 1957 Session of the General Court.

The report was accepted, and the recommendation of the committee was adopted.

Mr. Chase of Dover, for the Committee on Military and Veterans' Affairs, to whom was referred House Joint Resolution No. 10, Joint Resolution in favor of the New Hampshire Veterans' Association, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by inserting after the word "buildings" in the fourth line the words, and grounds, so that said joint resolution as amended shall read as follows:

That the sum of three thousand dollars (\$3,000) for the fiscal year ending June 30, 1956 and a like sum for the fiscal year ending June 30, 1957 are hereby appropriated for the New Hampshire Veterans' Association for the purpose of repairs and maintenance of the buildings and grounds of said association at The Weirs. The governor is authorized to draw

his warrant for the sums hereinabove appropriated out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Chase of Dover, for the Committee on Military and Veterans' Affairs, to whom was referred Joint Resolution No. 35, Joint Resolution in favor of the Y. D. Convention, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out the words "three thousand" in the first line and inserting in place thereof the word, fifteen hundred. Further amend the joint resolution by inserting after the letters "Y. D." in the second line the word, National, so that said joint resolution as amended shall read as follows:

That the sum of fifteen hundred dollars is hereby appropriated for the Y. D. National Convention which is to be held in Manchester in June 1955. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

Amend the caption of the joint resolution by inserting after the letters "Y. D." the word, National, so that said caption as amended shall read as follows: Joint Resolution in favor of the Y. D. National Convention.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred Senate Bill No. 72, An Act relating to publication of report of audit, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Gay of New London moved that the bill be re-committed.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. Gay of New London, Pickett of Keene, and Brown of Loudon spoke in favor of the motion.

Mr. Deans of Milford spoke against the motion.

On a *viva voce* vote the motion to recommit prevailed.

### Report of Conference Committee

The Committee of Conference, to whom was referred House Bill No. 88, An Act relative to penalty for failure to surrender motor vehicle license, registration or number plate upon demand, reported the same with the following recommendations: That the Senate recede from its position in adopting its amendments, that the House recede from its position of non-concurrence and that the following amendments be adopted:

Amend said bill by inserting after section 1 the following new section:

2. *Motor Vehicles.* Amend section 7-a of chapter 116 of the Revised Laws, as inserted by chapter 81 of the Laws of 1953, and as amended by chapter 28 of the Laws of 1955 (section 10, chapter 260 R S A) by inserting after the words "members of the senate" the words, or their spouse; by inserting after the words "members of the house of representatives" the words, or their spouse; and by inserting after the words "his deputy" the words, county sheriffs, so that said section as amended shall read as follows: 7-a. *Special Number Plates.* Upon payment of motor vehicle registration fee, if any, the motor vehicle commissioner may issue a special plate, to be designated by him, to be affixed to the vehicle of the governor, the members of the governor's council, president of the senate, members of the senate or their spouse, speaker of the house of representatives, members of the house of representatives or their spouse, the attorney general and his deputy, county sheriffs, and vehicles of state police and motor vehicle departments. Said special plates shall be issued at no cost to the state other than those plates furnished to the governor, the members of the governor's council, the president of the senate, speaker of the house of representatives, state police and motor vehicle departments.

Further amend the bill by renumbering section 2 to read section 3.

Amend the title of the bill by adding at the end thereof the



words, and relative to special number plates, so that said title as amended shall read as follows:

An Act relative to penalty for failure to surrender motor vehicle license, registration or number plate upon demand, and relative to special number plates.

J. WESLEY COLBURN,  
ERALSEY C. FERGUSON,

*Conferees on the part of the Senate.*

PHILIP S. WILLEY,  
LAURENCE M. PICKETT,  
FRED A. JONES,

*Conferees on the part of the House.*

The question being on agreeing to the report.

On a *viva voce* vote the report of the Committee of Conference was agreed to.

### Engrossed Bills Report

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 60, An Act relating to the return day of executions issued by the superior court, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of said bill by striking out the amending clause and inserting in place thereof the following:

2. *Subsequent Return Day.* Amend Revised Laws, chapter 399, section 4 (R S A chapter 527, section 4) by striking out said section and inserting in place thereof the following:

The report was accepted.

On motion of Mr. Faulkner of Keene the House voted to adopt the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the report of the Committee of Conference on:

House Bill No. 88, An Act relative to penalty for failure to surrender motor vehicle license, registration or number plate upon demand.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

House Bill No. 56, An Act providing for the classification of certain surface waters in Grafton county.

House Bill No. 59, An Act providing for the classification of Baker river and its watershed.

House Bill No. 156, An Act to provide coverage for certain civilian employees of the national guard under the old age survivors' insurance provision of Title II of the Federal Social Security Act, as amended.

House Bill No. 308, An Act relative to membership of the water pollution commission.

House Bill No. 384, An Act relative to election of certain officers of the city of Rochester.

House Joint Resolution No. 51, Joint Resolution relating to purchase of Salk poliomyelitis vaccine by the state.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 252, An Act relative to prerequisites for burial permits.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 460, An Act legalizing the annual meeting of the Lyndeborough school district.

Amend the title of said bill by inserting at the end thereof the words, and proceedings at a meeting of the Pelham school district, so that said title as amended shall read as follows:

An Act legalizing the annual meeting of the Lyndeborough school district and proceedings at a meeting of the Pelham school district.

Amend said bill by inserting after section 1 the following new section :

2. *Pelham School District.* The votes and proceedings at the annual meeting of the Pelham school district held on March 25, 1950, relative to the transfer of the school house property to the Post No. 100, American Legion, are hereby legalized, ratified and confirmed.

Further amend said bill by renumbering section 2 to read section 3.

On motion of Mr. Bardol of Wilton the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

### **Committee Report**

On motion of Mr. Rainie of Concord the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Gardner of Littleton, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 78, An Act relating to Wolfeboro village fire precinct, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### **Personal Privilege**

Mr. Waling of Keene rose to a point of personal privilege to serve notice that he would demand a roll call on any further motions to suspend the rules in order to rush business through.

Mr. Rainie of Concord rose to a point of personal privilege to defend his position of asking for suspension of the rules and stating he held no personal animosity whatsoever.

Mr. Pickett of Keene rose to a point of personal privilege to state that the motions to suspend the rules, in the case of dispensing with the printing, were in effect a substantial saving to the state and the intent of members in suspending other rules were honorable.

### Resolutions

Mr. Shea of Nashua offered the following resolution:

*Whereas*, Dr. Jonas Salk of the University of Pittsburg, Pennsylvania, has perfected a vaccine to fight the dread disease of poliomyelitis, which has given our state and country hope that this terrible disease may be stamped out, therefore be it

*Resolved*, That we, the members of the House of Representatives of the New Hampshire Legislature, hereby commend Dr. Salk for his long and diligent work on this wonderful discovery, and be it further

*Resolved*, That the Clerk of the House transmit to Dr. Salk a copy of these resolutions.

On a rising vote the resolution was unanimously adopted.

Mr. Pickett of Keene offered the following resolution:

*Whereas*, John J. Leary, Representative from Ward 3, Portsmouth, has been appointed Mayor of the City of Portsmouth, therefore be it

*Resolved*, That we, the members of the House of Representatives of the New Hampshire Legislature, hereby extend to our fellow member our hearty congratulations and our best wishes for a successful term as mayor, and be it further

*Resolved*, That the Clerk of the House transmit to Mayor Leary a copy of these resolutions:

On a *viva voce* vote the resolution was adopted.

Mr. Ecker of Manchester offered the following resolution:

*Whereas*, Jeremiah B. Healy, Representative from Manchester is seriously ill in the V. A. Hospital, therefore be it

*Resolved*, That we, the members of the House of Representatives of the New Hampshire Legislature, extend to our fellow representative our sincere sympathy in his illness and our best wishes for a speedy recovery, and be it further

*Resolved*, That the Clerk of the House transmit a copy of these resolutions to Representative Healy.

On a *viva voce* vote the resolution was adopted.

Mr. Ferguson of Jefferson offered the following resolution:

*Whereas*, Raymond G. Kimball, former Representative from Jefferson, is ill at home, therefore be it

*Resolved*, That we, the members of the House of Repre-

sentatives of the New Hampshire Legislature, hereby extend our sympathy to former Representative Kimball in his illness and our best wishes for a speedy recovery to health, and be it further

*Resolved*, That the Clerk of the House transmit to Mr. Kimball a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 383, An Act relative to the distribution of property to legatees, distributees or beneficiaries outside the United States.

House Bill No. 457, An Act providing for a study of the jurisdiction of municipal courts or district courts.

House Bill No. 482, An Act legalizing the annual meeting in the town of Canterbury.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 78, An Act relating to Wolfeboro Village Fire Precinct.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Ayer of Pittsfield at 12:20 o'clock the House adjourned.

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WEDNESDAY, APRIL 20, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

"O give thanks unto the Lord; for He is gracious, and His mercy endureth forever."

O God our Father, we come before Thee this morning in sincere gratitude for the recent discovery of what has so conclusively proven to be a preventive measure to stop, to a large



degree, further destructiveness of the onward march of polio. We realize we lift our voices to Thee this day in unison with a nation that bows before Thee in deep gratitude for this scientific discovery. When we form in our minds a mental picture of the thousands of crippled and distorted bodies across the nation, and throughout the world, we cannot refrain from being grateful to this modest scientist, who has startled the world with this latest great discovery, because we believe Thou hast used him to express Thy goodness toward all mankind.

"Praise God from whom all blessing flow; praise Him all creatures here below." Amen.

### **Salute to the Flag**

Mrs. Gardner of Gilford led the convention in the salute to the flag.

### **Leaves of Absence**

Mr. Horton of Lyme was granted an indefinite leave of absence on account of important business.

### **Introduction of Bills**

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Messrs. Bouchard and Fortier and Mesdames Gagnon and Fontaine of Berlin), House Bill No. 502, An Act relative to the salary of the sheriff of Coos county. To the Special Committee composed of members of the Coos County Delegation.

By the Committee on Rules (Mr. Pillsbury of Manchester), House Bill No. 503, An relative to funds for development of the Port of Portsmouth. To the Committee on Appropriations.

By the Committee on Rules, (Mr. Sawyer of Woodstock) House Bill No. 504, An Act relative to secondary state highway system. To the Committee on Public Works.

By the Committee on Rules (Mrs. Martin of Littleton) House Bill No. 505, An Act to repeal charters of certain corporations. To the Committee on Judiciary.

By the Committee on Rules (Mr. Bennett of Keene) House Bill No. 506, An Act relative to the salary of the justice of the

Keene municipal court. To the Special Committee consisting of Delegation from the city of Keene.

By Committee on Rules (Mr. Crandall of Dover) House Bill No. 507, An Act relative to mileage allowances for members of the general court who work on non-legislative days. To the Committee on Appropriations.

### Committee Reports

Mr. Karkavalis of Dover, for the Committee on Liquor Laws, to whom was referred House Bill No. 137, An Act relative to the sale of spirituous liquor and beverages on election days, having considered the same, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Committee on Liquor Laws, to whom was referred House Bill No. 137, An Act relative to the sale of spirituous liquor and beverages on election days, having considered the same, and being unable to agree with the majority reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate

HARRY DANFORTH,  
JAMES E. SLOWEY,  
ALFRED A. BERGERON,  
LORENZO P. GAUTHIER,  
ARTHUR A. BOUCHARD,  
ARTHUR A. LABRANCHE,  
GEORGE CORBETT,  
JAMES L. MAHONY,

*For the Committee.*

The reports were accepted.

Mr. Pappagianis of Nashua spoke in favor of the report of the majority.

Mr. Gauthier of Manchester moved that the report of the minority be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Gauthier of Manchester spoke in favor of the motion.

Mr. Reed of Goffstown spoke against the motion.

Mr. Pickett of Keene moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the Chair was in doubt, and called for a division.

A division being had, 152 members having voted in the affirmative and 176 members having voted in the negative, the motion to indefinitely postpone did not prevail.

The question being on the motion to substitute the report of the minority for that of the majority.

On a *viva voce* vote the motion did not prevail.

Mr. Gauthier of Manchester demanded the Yeas and Nays and the roll was called with the following result:

Mr. Spaulding of Hudson moved that the rules be so far suspended as to allow smoking before 12:00 noon, during the call of the roll.

On a *viva voce* vote the motion did not prevail.

#### Yeas — 148

HILLSBOROUGH COUNTY: Herrick, Fortin, Latour, Spaulding, Pettigrew, Soucy of Manchester, Ward 1, Danforth, Geisel, Mahony of Manchester, Robb, Dwyer, Horan, Sullivan, Fitzgerald, Kean, Nolan, Smith of Manchester, Walsh, Callahan, Clancy, Ecker, Healy of Manchester, Ward 6, Slowey, Tessier, Craig, Delisle, Lavoie, Constant, Cary, Morris, Bergeron, Alexander, Hurley, Lareau, Martel, Soucy of Manchester, Ward 12, Vaillancourt, Dion of Manchester, Gauthier, Gelin, Lafond, Lesmerises, Cannon, Donnelly, Gamache, Cummings, Peterson, Boire, Thibault of Nashua, Trombley, Ayers of Nashua, Brosnahan, Maynard, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Dutilly, Grandmaison, Jean, Bouthillier, Dumais.

CHESHIRE COUNTY: Haley, Brown of Keene, Coddington, Faulkner, Pickett, Waling, Terrill, Bouvier.

SULLIVAN COUNTY: Simms, Roe, Rowell, Gamsby.

GRAFTON COUNTY: Stevenson, Larty, Ashley, Jones of Lebanon, Gardner of Littleton, Talbot, Bell, Huckins.

COOS COUNTY: Dussault, Fortier, Roy, Russell, Sheridan, Brungot, Christiansen, Bouchard, Fontaine, Gagnon, Rines, Alls, Bishop, Ross, Ferguson, Bushey, Charbonneau, Phelan, Baker, Stinson.

ROCKINGHAM COUNTY: Tenney, Barka, Bisbee, Clarke of Derry, Gay of Derry, Eldredge, Labranche, Sewall, Barrett, Dondero, Hundley, Leary, Munz, Ingraham, Mafera, Philbrick, Robinson of South Hampton.

STRAFFORD COUNTY: Chase, Karkavelas, Desjardins, Crandall, Stearns, Mros, Chadbourn, Lacasse, St. Pierre, Maloomian, Cormier.

BELKNAP COUNTY: Boutin, Gardner of Gilford, Morin, Simoneau, Varrell.

CARROLL COUNTY: Downs, Hodge.

MERRIMACK COUNTY: Baron, Colbath, Hancock, Shea of Concord, Corbett, Maxham, McKee, Broadhurst, Dempsey, Milligan, Thibeault of Pembroke.

### Nays — 209

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Black, Farwell, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Hadley, Goodwin, Abbott, Lang of Manchester, Pillsbury of Manchester, Hayes, Corey, Auger, Boisvert, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Buckley, Ramsdell, Saunders, Pappagianis, Dugas, Locke, Dutton, Rice, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Burnham, Post, Smith of Hinsdale, Perry, Spofford, Kirk, McCullough, Wheeler, Bennett, Carlton, Brown of Marlow, Sherwin, Lane, Lang of Troy, Ballam, Rhodes, Billings, Ingham, Thompson.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Bloomfield, Bissonett, Firestone, Millar, Marcotte, Davis of Cornish, Nelson of Goshen, Reney, Vaughan, Pierce, DeLude.

GRAFTON COUNTY: Ramsey, Pryor, Chamberlin of Bath, Plumer, Willey, Clarke of Canaan, Sanborn, Atkins, Bradley, Hayward, Holden, Sleeper, Chamberlain of Holderness, Clement of Landaff, Adams, Cole, Perley, Townsend, Collyer, Kelley, Martin, Frazer, Carr, Barney.

COOS COUNTY: Hurlbert, Cornelius, Simonds, Potter, Annis, Converse, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Persson, Shattuck, Fogg, Nickerson of East Kingston, Blair, Eastman of Exeter, Merrill, Rathbone, Jones of Fremont, Weeks of Greenland, Spollett, Hunter, Tobey, Thurlow, Battles, Parmenter, McCaffery, Cheney, Carter, Palmer, Payette, Murch, Quirk, Travis, Joyce, Wardwell, Haigh, Willis (Anna), Willis (Howard), Pillsbury of Sandown, Felch, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Felker, Webb, Connell, Pearson, Funkhouser, Littlehale, Nute, Wentworth, Evans, Dustin, Studley, Clement of Rochester, Estes, Green, Letourneau, Beamis, Malley, Brown of Strafford.

BELKNAP COUNTY: Skinner, McAllister, Robertson, Hart, Rogers, Tilton, Ballentine, Burbank, O'Shan, Dana, Miner, Smith of Meredith, Urie, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Benson, Roberts, Stokes, Nickerson, Lamprey, Hayden, Remick, Hodgdon, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Phelps, Ellsworth, Vaughn of Bow, Vogel, Stevens, Ferrin, Davis of Concord, Henry, Lessels, Jewett, Rainie, Cilley, Walker, Anderson, Comi, Nutter, Burke, Kenney, Charland, Carpenter, DuDevoir, Mulaire, Davis of Hopkinton, Brown of Loudon, Gay of New London, Ayer of Pittsfield, Young, Lovejoy, Bigelow, Bean, Workman.

And the motion to substitute the minority report did not prevail, and the bill was ordered to a third reading.

Mrs. Gagnon of Berlin, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 487, An Act legalizing the annual meeting in the town of Acworth, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Holmes of Amherst, for the Committee on Judiciary, to whom was referred House Bill No. 445, An Act relating to governmental authorities under the sale of securities act, hav-



ing considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred Senate Bill No. 61, An Act providing special fees for privately owned school buses, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred House Bill No. 166, An Act relative to manner of driving motor vehicles, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred House Bill No. 241, An Act relative to keeping motor vehicles free from obstructions of ice and snow, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tilton of Laconia, for the Special Committee consisting of the members from the county of Belknap, to whom was referred House Bill No. 475, An Act relative to salaries of various Belknap county officials, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### **Report of Committee on Engrossed Bills**

Mrs. Hundley of Portsmouth, for the Committee on Engrossed Bills, reported that they had examined and found cor-

rectly engrossed the following entitled Senate and House bills; House joint resolution and Senate joint resolution:

Senate Bill No. 37, An Act continuing the commission to study the use of assigned television channels for educational purposes.

House Bill No. 26, An Act providing for the application of motor vehicle laws on highways on land owned by the United States of America.

House Bill No. 56, An Act providing for the classification of certain surface waters in Grafton county.

House Bill No. 59, An Act providing for the classification of Baker river and its watershed.

House Bill No. 156, An Act to provide coverage for certain civilian employees of the national guard under the old age and survivors' insurance provision of Title II of the Federal Social Security Act, as amended.

House Bill No. 183, An Act relating to satisfaction of judgments by motor vehicle owners and operators.

House Bill No. 225, An Act relating to repeal of motor vehicle liability bond provisions.

House Bill No. 252, An Act relative to prerequisites for burial permits and preparation of death certificates.

House Bill No. 308, An Act relative to membership of the water pollution commission.

House Bill No. 318, An Act to amend the religious corporations law in relation to the incorporation of Orthodox parishes.

House Bill No. 339, An Act relative to taking otter during special open season for taking beaver.

House Bill No. 350, An Act relative to workmen's compensation.

House Bill No. 394, An Act relative to annual reports by small loan licensees and the issuance of licenses for small loan business.

House Bill No. 321, An Act to increase the borrowing power of the Central Hooksett Water Precinct.

House Bill No. 384, An Act relative to election of certain officers of the city of Rochester.

House Joint Resolution No. 51, Joint Resolution relative to purchase of Salk poliomyelitis vaccine by the state.

House Bill No. 111, An Act relative to special fish and game licenses for members of the armed forces of the United States.

House Bill No. 196, An Act relative to exceptions to foreign corporations operating motor vehicles in intrastate commerce.

House Bill No. 387, An Act relative to the bag limit for horned pout.

House Bill No. 460, An Act legalizing the annual meeting of the Lyndeborough school district and proceedings at a meeting of the Pelham school district.

Senate Bill No. 78, An Act relating to Wolfeboro Village Fire Precinct.

Senate Joint Resolution No. 2, Joint Resolution relating to the placement of certain obsolete artillery.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate refused to concur with the House of Representatives in the adoption of the amendment sent up from the House of Representatives, to the following entitled bill, and asked for a Committee of Conference.

Senate Bill No. 17, An Act relative to the salary of the justice and special justices of the municipal court of Portsmouth.

Pursuant to the above, the President appointed as members on the part of the Senate, Senator Foote, District No. 24, and Senator Landers, District No. 10.

On motion of Mrs. Dondero of Portsmouth the House voted to accede to the request of the Honorable Senate for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House, Mrs. Dondero, and Messrs. Murch and Quirk of Portsmouth.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following Senate Bill, in the adoption of which the Senate asks the concurrence of the House of Representatives:

Senate Bill No. 4, An Act relative to write-in votes for nomination as state senator and representative.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to nominations for incompatible offices.

On motion of Mr. Rainie of Concord the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills, sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 278, An Act relative to a small game license for Coos County.

Amend section 1 of said bill by inserting at the end thereof the following words, during the month of October only, so that said section as amended shall read as follows:

1. *Hunting Licenses.* Amend section 6 of chapter 247, Revised Laws (chapter 214, RSA) by inserting after paragraph III-a, as inserted by section 3, chapter 163, Laws of 1947, the following new paragraph: III-b. If the applicant is a nonresident and wishes to hunt game other than deer or bear, in Coos county, ten dollars and twenty-five cents, and said agent shall thereupon issue a nonresident Coos county small game license which shall entitle a licensee to hunt, shoot, or take game, birds, and game animals, with the exception of deer and bear, during the month of October only.

On motion of Mr. Converse of Pittsburg the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 292, An Act relative to trolling with large spinners in reclaimed trout ponds.

Amend section 1 of said bill by inserting after the word, "ponds" in the fifth line thereof the words, except in Back Lake in the town of Pittsburg and Mirror Lake in the town of Whitefield, so that said section as amended shall read as follows:

1. *Fishing on Reclaimed Trout Ponds.* Amend chapter 245 of the Revised Laws (chapter 211, RSA) by inserting after

section 37 the following new section: 37-a. *Prohibited Devices.* No person shall use a spinner or spinners, total combined length of all blades not to exceed four inches, when trolling for fish in reclaimed trout ponds except in Back Lake in the town of Pittsburg and Mirror Lake in the town of Whitefield. Whoever violates any of the provisions of this section shall be fined twenty-five dollars and the director shall suspend his fishing license for a period of one year. The provisions of this section shall not be construed as affecting fly fishing in regular ponds.

On motion of Mr. Ashley of Lebanon the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of of the amendments offered by the Committee on Engrossed Bills to the following entitled joint resolution:

Senate Joint Resolution No. 2, Senate Joint Resolution relating to the placement of certain obsolete artillery.

The message also announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 387, An Act relative to the bag limit for horned pout.

### Resolutions

Mr. Thompson of Winchester offered the following resolution:

*Whereas*, Charles R. Thomas, Representative from Dublin, is seriously ill in the Veterans Hospital, therefore be it

*Resolved*, That we, the members of the House of Representatives of the New Hampshire Legislature, extend our sincere sympathy to our fellow representative in his illness, and our best wishes for a speedy recovery, and be it further

*Resolved*, That the Clerk transmit a copy of these resolutions to Representative Thomas.

On a *viva voce* vote the resolution was adopted.



### Concurrent Resolutions

Mr. Metcalf of Tilton offered the following concurrent resolution:

*Resolved by the House of Representatives, the Senate concurring,* That the old type electrical fixtures presently in the rotunda of the State House shall be retained therein, after re-wiring as may be necessary, and that modern fluorescent fixtures shall not be used at that location.

The concurrent resolution was referred to the Committee on Public Welfare and State Institutions.

On motion of Mrs. Webb of Dover the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Bill No. 137, An Act relative to the sale of spirituous liquor and beverages on election days.

House Bill No. 241, An Act relative to keeping motor vehicles free from obstructions of ice and snow.

House Bill No. 475, An Act relative to salaries of various Belknap county officials.

House Bill No. 487, An Act legalizing the annual meeting in the town of Acworth.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Herrick of Deering at 12:24 o'clock the House adjourned.

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THURSDAY, APRIL 21, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, His Grace, Bishop Athenagoras, Spiritual Leader of the Greek Orthodox Church in New England.

O God, King of the Universe, Who in Thy Providence hast made us recipients of the saving Grace which Thy Eternal Son, our Lord Jesus Christ hast offered to all through His Sacrifice and Resurrection, Who hast led us to establish in this Land of

Freedom Churches to worship according to the dictates of our conscience, we come unto Thee this day in one heart and mind to bless and praise Thy Holy Name.

We pray Thee, O Lord, bless Thy people's chosen and guide them in their efforts to protect the freedom of this, our Land. Turn their thoughts unto Thee and make their hearts the abode of Thy Spirit. Let their dependence upon Thee be expressed in all their deliberations. Enrich their decisions with Thy wisdom, and their attitudes with Thy love and their judgments with Thy mercy. Speak in their minds good things about Thy Church and Thy people and lead them in their work for the progress of the State and all the States of our Union. Bless the President, the Governor of this State and all those in authority and all of us here present and unite us all in the work to establish peace and justice on earth for Thy glory.

In the name of the Father and of the Son and of the Holy Spirit. Amen.

### **Salute to the Flag**

Mr. Wadleigh of Milford led the convention in the salute to the flag.

### **Leaves of Absence**

Mrs. Studley and Mr. Clement of Rochester were granted leaves of absence for the day on account of important business.

Mr. Simonds of Lancaster was granted an indefinite leave of absence on account of illness.

### **Introduction of Bills**

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Mr. Crandall of Dover) House Bill No. 508, An Act relative to mileage allowances for legislative officers and employees. To the Committee on Appropriations.

By the Committee on Rules (Mrs. Studley of Rochester) House Bill No. 509, An Act relating to deposits by the state treasurer. To the Committee on Executive Departments and Administration.

By the Committee on Rules (Mr. Willey of Campton) House Bill No. 510, An Act relative to the taxation of savings

banks, trust companies, building and loan associations, credit unions and other similar corporations. To the Committee on Ways and Means.

By the Committee on Rules (Mr. Rogers of Laconia) House Bill No. 511, An Act relative to change of classification of road in the town of Gilmanton. To the Committee on Public Works.

### Committee Reports

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 311, An Act relative to the construction of a dormitory for women at the University of New Hampshire, and to be liquidated from income, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 3 of said bill by striking out in the 10th, 11th, 12th, 13th and 14th lines the words "and may be redeemable before maturity at the option of the governor and council at such price or prices and under such terms and conditions as may be fixed by the governor and council prior to the issuance of the bonds" so that said section as amended shall read as follows:

3. *State Bonds or Notes.* The governor, upon receipt of a request from the board of trustees of the university, and by and with the consent of the council, may direct the state treasurer to borrow upon the faith and credit of the state a sum not exceeding three hundred twelve thousand, five hundred dollars for the purpose of carrying into effect the provisions of this act, and for said purposes may issue bonds in the name and on behalf of the state at a rate of interest to be determined by the governor and council. The maturity dates of such bonds shall be determined by the governor and council, but in no case shall they be earlier than twenty years from the date of issue. The bonds shall be in such form and denomination as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time of countersigning, the date of delivery to the state treasurer and the date

of maturity. The state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Urie of New Hampton, for the Committee on Resources, Recreation and Development, to whom was referred House Joint Resolution No. 28, Joint Resolution to provide for a cooperative aerial geophysical survey of portions of the State of New Hampshire, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Gamache of Manchester, for the Committee on Resources, Recreation and Development, to whom was referred House Joint Resolution No. 27, Joint Resolution to continue and extend the study of groundwater resources within the state, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted, and the joint resolution referred to the Committee on Appropriations under the rules.

Mr. Lesmerises of Manchester, for the Committee on Ways and Means, to whom was referred Senate Bill No. 45, An Act relative to jeopardy assessment on personal property, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Waterhouse of Windham, for the Committee on Ways and Means, to whom was referred House Bill No. 377, An Act relative to taxes and fees for insurance companies, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Broadhurst of Franklin, for the Special Committee consisting of the members from the city of Franklin, to whom was referred House Bill No. 491, An Act relative to the Franklin Veterans' Home Association, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### **Report of Committee on Engrossed Bills**

Mrs. Hayden of Ossipee, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate and House bills:

Senate Bill No. 4, An Act relative to nominations for incompatible offices.

Senate Bill No. 60, An Act relating to the return day of executions issued by the superior court.

House Bill No. 112, An Act relative to bonds of the city of Portsmouth.

House Bill No. 206, An Act relating to the charter of the city of Portsmouth.

House Bill No. 278, An Act relative to a small game license for Coos county.

House Bill No. 292, An Act relative to trolling with large spinners in reclaimed trout ponds.

House Bill No. 301, An Act to provide for notice when a highway running between two towns is discontinued.

House Bill No. 441, An Act relative to salaries for members of the trustees of trust funds for the city of Portsmouth.

The report was accepted.

### **Senate Message**

A message sent down from the Honorable Senate by its Clerk, announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 60, An Act relating to the return day of executions issued by the superior court.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of



the following entitled bills sent up from the House of Representatives:

House Bill No. 112, An Act relative to bonds of the city of Portsmouth.

House Bill No. 206, An Act relating to the charter of the city of Portsmouth.

House Bill No. 301, An Act to provide for notice when a highway running between two towns is discontinued.

House Bill No. 353, An Act relating to extended coverage in policies of liability insurance.

House Bill No. 441, An Act relative to salaries for members of the trustees of trust funds for the city of Portsmouth.

Senate Bill No. 60, An Act relating to the return day of executions issued by the superior court.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 16, An Act to promote safety on the highways by regulating access from state highways to drive-in theatres.

Amend section 39 of part 19, chapter 90, Revised Laws as inserted by section 1 of said bill by inserting after paragraph IV the following new paragraph: V. *Roadside Use*. It shall be unlawful to erect any roadside advertising within a distance of 400 feet of any highway intersections of Class I and II highways nor railroad grade crossings thereon when said advertising obstructs the view of said intersections and crossings, rendering the approach to same by vehicular traffic hazardous.

Further amend said section 39 by re-numbering paragraph V to read paragraph VI.

Mr. Rogers of Laconia moved that the House non-concur in the amendment sent down from the Honorable Senate and asked that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Mrs. Funkhouser of Durham, Mr. Rogers of Laconia, and Mr. Swain of Barrington.

### Resolutions

Mr. Evans of Milton offered the following resolution:

*Whereas*, Seth F. Dawson of Milton has passed away, and

*Whereas*, Mr. Dawson was a former Representative from Milton, therefore be it

*Resolved*, That we, the members of the House of Representatives of the New Hampshire Legislature, express our deep sympathy to the family in its bereavement, and be it further

*Resolved*, That the Clerk of the House transmit to the widow, Mrs. Seth F. Dawson, a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 311, An Act relative to the construction of a dormitory for women at the University of New Hampshire, and to be liquidated from income.

House Bill No. 491, An Act relative to the Franklin Veterans' Home Association.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 45, An Act relative to jeopardy assessment on personal property.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Frizzell of Charlestown at 11:56 o'clock the House adjourned.

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TUESDAY, APRIL 26, 1955

The House met according to adjournment.

Prayer was offered by the Chaplain.

O God Who didst come to open the prison doors and to set the captive free, we pray Thee to deliver us from the limitations

of narrowness, and from everything that would seem to circumscribe life. Give to us such an outlook on life that we may rise above the mean and the sordid conditions that would engulf us, that we may live in that atmosphere where jealousy and prejudice and selfishness cannot exist, but where love and confidence and trust are ever found. Unshackle our minds and free them from any spirit of animosity toward others because they do not see things as we see them, do not vote as we vote, do not belong to the same political party, Church or club that we belong to. If there be such imprisoned human minds, O God, open the prison doors and set such men and women free. Through Jesus Christ our Lord, Amen.

### Salute to the Flag

Mrs. Hundley of Portsmouth led the convention in the salute to the flag.

### Leaves of Absence

Mrs. Webb of Dover was granted leave of absence for the week on account of important business.

Mr. Carignan of Rochester was granted leave of absence for the week on account of illness.

Mr. Ingraham of Portsmouth was granted indefinite leave of absence on account of illness in the family.

Messrs. Jewett of Concord, Cilley of Concord, Tobey of Hampton and Merrill of Exeter were granted leave of absence for the day on account of illness.

Mr. Brown of Marlow was granted leave of absence for Tuesday and Wednesday on account of illness.

Messrs. Carpenter of Henniker, McKee of Concord and Pinkham of Northwood were granted leave of absence for the day on account of important business.

### Recess

### Introduction of Guests

The Speaker introduced Mr. Jaipaul of New Delhi, India, member of India Congress of Parliament, who addressed the House briefly.

The Speaker introduced Mrs. Mary Carr of Bedford, civil defense authority and member of the Governor's advisory council, who gave a short address on safety and first aid and dis-

played posters on that subject submitted by seniors of Manchester Central High School.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Mr. Jones of Lebanon), House Bill No. 512, An Act relative to immunity of witnesses under subversive investigations. To the Committee on Judiciary.

By Committee on Rules (Mr. Plumer of Bristol) House Bill No. 513, An Act relative to fees for inspections and sealing of weighing and measuring devices. To the Committee on Agriculture.

By the Committee on Rules (Mr. Gay of New London), House Bill No. 514, An Act legalizing the annual meeting in the town of Springfield. To the Committee on Executive Departments and Administration.

By Mr. Pickett of Keene, House Bill No. 515, An Act relative to transfer of liquor licenses and beverage permits to clubs in certain cases. To the Committee on Liquor Laws.

### Committee Reports

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 52, An Act to ratify the New England higher education compact, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 4 of said bill by striking out the word "twelve" in the first line and inserting in place thereof the word, seven, so that said section as amended shall read as follows:

4. *Appropriation.* The sum of seven thousand dollars is hereby appropriated and made available for expenditure for the purposes of this act, provided that said funds hereby appropriated shall not lapse until June 30, 1957. The sum hereby made available for the purposes of this act shall be a charge against the general funds of the state and the governor is authorized to draw his warrant for said sum, or so much thereof as may

be required for the purposes hereof, out of any money in the treasury not otherwise appropriated.

Further amend said bill by inserting after section 4 the following new section.

5. *Repeal.* Amend section 3 of chapter 197 of the Laws of 1953 by striking out said section and inserting in place thereof the following: 3. *Limitation.* No individual shall be eligible to receive the benefits provided for by this act for a period of more than four years.

Further amend said bill by renumbering section 5 to read section 6.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Malley of Somersworth, for the Committee on Appropriations, to whom was referred House Bill No. 115, An Act for county cooperative extension work in agriculture and home economics, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 405, An Act extending certain aeronautical appropriations, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred Senate Bill No. 56, An Act relative to compensation of the New Hampshire members of the Maine-New Hampshire Interstate Bridge Authority, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Scamman of Stratham, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 12,



Joint Resolution providing for two additional county foresters, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 38, Joint Resolution for appropriation for carrying out provisions of statute relative to reciprocal agreements for educational facilities for New Hampshire residents, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 44, Joint Resolution in favor of the Danbury Hospital, Danbury, Connecticut, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution ought to pass.

Amend the joint resolution by inserting after the word "appropriated" in the sixth line the words, This sum shall be in full and complete settlement of this charge, so that said joint resolution as amended shall read as follows:

That the sum of two hundred forty-one dollars and seventy cents is hereby appropriated to reimburse the Danbury Hospital of Danbury, Connecticut, for expenses incurred in September 1950 in treating two escapees from the Industrial School who were injured while driving in a stolen vehicle in Connecticut. The governor is authorized to draw his warrant for the sum hereby appropriated out of money in the treasury not otherwise appropriated. This sum shall be in full and complete settlement of this charge.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred House Bill No. 429, An Act relative to loans of credit unions, having considered the same, reported

the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1. *Credit Unions.* Amend section 17 of chapter 315, Revised Laws, as amended by section 1, chapter 26, Laws of 1949 and section 1, chapter 145, Laws of 1953 (section 17, chapter 394, RSA) by striking out said section and inserting in place thereof the following: 17. *Use of Funds.* While awaiting calls of its members for loans, it may deposit its money in any savings bank, trust company, federal savings and loan association, or national bank in this state, or, by majority vote of the board of directors and with the approval of the commissioner, in any savings bank, trust company, federal savings and loan association, or national bank in New England or, with like vote and approval, may make loans to other credit unions chartered under the laws of this state provided that the lending credit union has assets of one hundred thousand dollars or more. It may invest any surplus funds in obligations of the United States government or of the government of Canada and its provinces.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Lavoie of Manchester, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 71, An Act relating to false reports of crime, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Thurlow of Hampton Falls, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 250, An Act relative to the forestry and recreation insurance coverage, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the bill by striking out section 2 and inserting in place thereof the following new sections:

2. *Insurance.* Amend chapter 234 of the Revised Laws

by inserting after section 19-a, as inserted by section 8 of chapter 240, Laws of 1951 (section 20, chapter 219, RSA) the following new section: 19-b. *Insurance*. The forestry and recreation commission may procure policies of liability insurance on recreational areas throughout the state. Said insurance shall be purchased through the director of purchase and property after consultation with the board of approval established by section 7, part 24, chapter 5, Laws of 1950.

3. *Merchandise Insurance*. Amend section 4-a of chapter 233 of the Revised Laws as inserted by section 1, chapter 98, Laws of 1951 (section 6, chapter 218, RSA) by striking out said section and inserting in place thereof the following: 4-a. *Forestry and Recreation Merchandise Insurance*. The forestry and recreation commission shall have the power to protect merchandise purchased for resale against fire and water damage, and such insurance shall be purchased through the director of purchase and property after consultation with the board of approval established by section 7 of part 24 of chapter 5, Laws of 1950.

4. *Insurance, Liquor Warehouse Contents*. Amend section 15 of chapter 170 of the Revised Laws as amended by section 3, part 24, chapter 5, Laws of 1950 (section 13, chapter 176, RSA) by striking out said section and inserting in place thereof the following: 15. *Insurance*. The commission shall have power to protect the contents of the state liquor warehouse against fire and sprinkler damage, and such insurance shall be purchased through the director of purchase and property after consultation with the board of approval established by section 7, part 24, chapter 5, Laws of 1950.

5. *Board of Approval*. Amend section 7 of part 24 of chapter 5, Laws of 1950 (section 2, chapter 93, RSA) by inserting after the word "state" in the sixth line the words, and to examine proposed policies of insurance to be purchased through the director of purchase and property as authorized by law, to advise as to the adequacy of the policy, so that said section as amended shall read as follows: 7. *Board of Approval*. There is hereby established a board consisting of the attorney-general, the insurance commissioner and the bank commissioner whose duty it shall be to determine the amount, where no amount is specified, and the sufficiency of the surety, where

a bond is required of an official or employee of the state; and to examine proposed policies of insurance to be purchased through the director of purchase and property as authorized by law, to advise as to the adequacy of the policy; and such other duties as may be provided by law; and no bond shall be valid until approved by said board.

Further amend the bill by renumbering section 3 to read section 6.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Anderson of Concord, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 492, An Act to authorize the school district of Litchfield to exceed its bonded indebtedness, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Craig of Manchester, for the Committee on Judiciary, to whom was referred House Bill No. 81, An Act relative to penalties for certain motor vehicle violations, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Revocation of Licenses.* Amend section 16 of chapter 118 of the Revised Laws (section 19, chapter 262, RSA) by striking out the same and inserting in place thereof the following: 16. *Intoxication.* Any person who shall be convicted of operating or attempting to operate, a motor vehicle upon any way while under the influence of intoxicating liquor or any narcotic or habit-producing drug, shall be imprisoned for not more than six months or shall be fined not more than five hundred dollars, or both; his license shall be revoked for a period of sixty days and at the discretion of the court for a period not to exceed one year. Upon a second conviction he shall be imprisoned for not less than one month nor more than six months, and fined not less than one hundred dollars nor more than five

hundred dollars; his license shall be revoked and he shall be ineligible for a license for the next three calendar years.

The report was accepted, the amendment laid upon the table under Rule 48.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred Senate Bill No. 49, An Act relative to the taxation of personal property on land of another, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Rathbone of Exeter, for the Committee on Judiciary, to whom was referred House Joint Resolution No. 36, Joint Resolution relative to a state wide referendum on the question of taxes, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Beamis of Somersworth, for the Committee on Judiciary, to whom was referred House Bill No. 177, An Act relative to years of service under employees' retirement system, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by pending legislation.

The report was accepted and the resolution of the committee adopted.

Mr. Brown of Strafford, for the Committee on Judiciary, to whom was referred House Bill No. 180, An Act relative to coverage of officers and employees of the state and municipalities under the old age and survivors' insurance, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by pending legislation.

The report was accepted and the resolution of the committee adopted.

Mr. Bennett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 299, An Act relative to the



definition of the term "employment" under the federal old-age and survivors' insurance act, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Dondero of Portsmouth, for the Committee on Judiciary, to whom was referred House Bill No. 300, An Act relative to membership of county employees in the employees' retirement system, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Coddington of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 333, An Act relative to workmen's compensation, having considered the same, reported the same with the recommendation that the bill be referred to the 1957 General Court.

The report was accepted and the recommendation of the committee adopted.

Mr. Craig of Manchester, for the Committee on Judiciary, to whom was referred House Bill No. 431, An Act relating to tax exemption for institutions, societies and corporations not organized, incorporated, conducted, or operated principally for the benefit of New Hampshire residents, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wadleigh of Milford, for the Committee on Judiciary, to whom was referred House Bill No. 458, An Act relating to regular sessions of the Hillsborough county probate court, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by adding at the end thereof the words, at Milford, on the third Friday of February, May and November, so that said section as amended shall read as follows:

1. *Probate Court Sessions.* Amend section 6 of chapter 348, Revised Laws (section 6, chapter 549 R S A) by striking out said section and inserting in place thereof the following: 6. *Hillsborough.* For the county of Hillsborough, — at Manchester, on the first and third Tuesdays of every month, except the month of August; at Nashua, on the fourth Tuesday of every month, except the month of August; at Peterborough, on the third Friday of March, June, September and December; at Hillsborough Bridge, on the third Friday of January, April, July and October; at Milford, on the third Friday of February, May and November.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Bloomfield of Claremont, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 36, An Act to provide recognition of the war service of residents of this state who served in the armed forces of the United States during the Korean conflict, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out in the second line the words, "more than ninety days," and inserting in place thereof the words, ninety days or more; further amend said section by striking out in the fourth line the word and figures, "January 31, 1955," and inserting in place thereof the word and figures, July 27, 1953, so that said section as amended shall read as follows:

1. *Qualification for Bonus.* Each person, man or woman, who actively served for a total period of ninety days or more in any capacity as a member of the armed forces of the United States from June 25, 1950, to July 27, 1953, who is discharged, released or has a certificate of service therefrom under conditions other than dishonorable and who at the time he entered such active military service was a *bona fide* resident of this state, shall be entitled to the benefits provided hereunder.

Amend section 4 by inserting after the word "service," in the seventeenth line the words, or is disabled and medically discharged or hospitalized with ultimate medical discharge as a result of service connected disability, so that said section as amended shall read as follows:

4. *Bonus Payment.* In recognition of the services performed by the persons designated as eligible under section 1 of this act, hereinafter referred to as the resident or residents, the state treasurer when such names are certified to him as provided in the preceding section, and when application is made therefor, shall pay to each such qualified resident or, if such resident dies before payment has been made to him, to such resident's surviving spouse or if none, to his child or children in equal shares; and if he has no surviving spouse or children, then in equal shares to his surviving parents; a sum equal to ten dollars per month for each month of such active military service, pro-rated for fractions of a month according to the number of days involved in the particular month, but not exceeding in any event the sum of one hundred dollars; and said treasurer shall take such formal receipt as he shall prescribe. If such resident is legally incompetent, payment may be made to his legally appointed representative only. If such resident dies while in active service, or dies subsequent to his discharge therefrom as a result of disability received while in service, or is disabled and medically discharged, or hospitalized with ultimate medical discharge as a result of service connected disability, the sum of one hundred dollars shall be paid without regard to the length of time such resident was in service. No application shall be certified for payment unless written evidence is presented indicating that any person or persons herein described as having a prior right to benefits shall have deceased; and provided further that if, prior to the date upon which this act takes effect, benefits under the provisions of this chapter have been paid to the father or mother of a resident, who at the time had a child or children, the rights to benefits shall not in addition accrue to said child or children, as a result of the provisions of this act. The term spouse means a lawful wife or husband. The term child includes a legitimate child, a child legally adopted, and a stepchild. The term parent includes a father and mother, step-father and step-mother, father and mother through adoption, and those who stood *in loco parentis*. Payment shall not be made to more than two parents. Preference will be given to the parent or parents who actually exercised parental control at the time of or most nearly prior to date of resident's entry into service. Proof of the relationship *in loco*

*parentis* shall be established by sworn statement of the applicant, together with supporting affidavits of two disinterested persons.

Amend section 5 by inserting after the word, "hereunder," in the second line the words, together with the administrative costs thereof, so that said section as amended shall read as follows:

5. *Bond Issue Authorized.* In order to provide the funds for the payment of the bonus authorized hereunder, together with the administrative costs thereof, the sum of one million, five hundred thousand dollars or so much thereof as may be necessary, is hereby appropriated, and the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not exceeding one million, five hundred thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. Such bonds or notes shall be deemed a pledge of the faith and credit of the state.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Deans of Milford, for the Committee on Municipal and County Government, to whom was referred House Bill No. 146, An Act to control motor vehicle and machinery junk yards and public dumps, having considered the same, in new draft, reported the same with the recommendation that the bill in its new draft be recommitted to the Committee on Municipal and County Government.

The report was accepted, and the recommendation of the committee adopted.

### **Introduction of a Bill**

House Bill No. 146 (in new draft), An Act to control motor vehicle and machinery junk yards and public dumps was introduced, read a first and second time, laid upon the table to be printed and referred to the Committee on Municipal and County Government.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 76, An Act relative to extensions of or additions to the Portsmouth-Seabrook Toll



Road (known as the New Hampshire Turnpike), the Spaulding Turnpike and the Frederic E. Everett highway, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the bill by striking out all after the title and inserting in place thereof the following:

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1. *Authority Granted.* In addition to authority granted by chapter 238, Laws of 1953 and chapter 295, Laws of 1947, as amended and other authority granted by law, the commissioner of public works and highways, with the approval of the governor and council, is hereby authorized, provided additional federal funds are allotted to (1) locate and construct within the procedural manner authorized for the establishment of extensions to the New Hampshire Turnpike, the Spaulding Turnpike and the Frederic E. Everett Highway as public convenience and necessity may require (2) to construct other portions of the National system of interstate highways to the extent possible and for this purpose (3) to exceed the authorized budget of the department of public works and highways by the amount of such additional federal funds and (4) to comply with such federal regulations as may be established regarding the expenditure of such funds.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Funkhouser of Durham, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 255, An Act providing for state participation in water pollution control costs through financial aid to municipalities, having considered the same, reported the same with the recommendation that the bill be referred to the Legislative Council.

The report was accepted, and the recommendation of the committee adopted.

Mrs. Funkhouser of Durham, for the Committee on Resources, Recreation and Development, to whom was referred



House Joint Resolution No. 47, Joint Resolution relative to camp ground at Crawford Notch State Park, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted.

Mr. Chandler of Bartlett moved that the words "inexpedient to legislate" be substituted for the words "ought to pass."

The question being on the motion.

(Discussion ensued)

Mr. Chandler of Bartlett and Miss Collyer of Lisbon spoke in favor of the motion.

Mr. Barney of Rumney and Mrs. Funkhouser of Durham spoke against the motion.

On a *viva voce* vote the motion to substitute the words "inexpedient to legislate" prevailed.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Skinner of Alton, for the Committee on Resources, Recreation and Development, to whom was referred House Joint Resolution No. 6, Joint Resolution providing an appropriation for works of improvement on small watersheds, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend the resolution by inserting after the word "of" in the first line the words, assistance in defraying operating costs and maintaining such works of improvement in accordance with regulations presented by the United State Secretary of Agriculture and, so that said resolution shall read as follows:

That there is hereby appropriated for the purpose of assistance in defraying operating costs and maintaining such works of improvement in accordance with regulations presented by the United States Secretary of Agriculture and assisting in carrying out joint federal — state — local projects for watershed protection and flood prevention in small watersheds under the provisions of chapter 266, Revised Laws, and amendments thereto, and in cooperation with the federal government

under the Watershed Protection and Flood Prevention act of the 83rd Congress, the sum of ten thousand dollars for the year ending June 30, 1956, and a like sum for the year ending June 30, 1957, and the governor is hereby authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated. The sums hereby appropriated shall not lapse but shall be added to the appropriations for the water resources board of any succeeding fiscal year to be used for the purpose therein contained.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Hart of Laconia spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Malley of Somersworth called for a division.

A division being had, 123 members having voted in the affirmative, and 137 members having voted in the negative, the amendment was not adopted.

Mr. Urie of New Hampton moved that the joint resolution be recommitted.

The question being on the motion to recommit.

(Discussion ensued)

Mr. Urie of New Hampton spoke in favor of the motion.

On a *viva voce* vote the motion to recommit prevailed.

Mr. Ashley of Lebanon, for the Committee on Ways and Means, to whom was referred House Bill No. 358, An Act relative to fees for business, voluntary and foreign corporations, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate and House bills:

Senate Bill No. 45, An Act relative to jeopardy assessment on personal property.

House Bill No. 240, An Act relative to grossly careless and grossly negligent operation of motor vehicles.

House Bill No. 243, An Act relative to requirement for use of so-called mud flaps on certain motor vehicles.

House Bill No. 446, An Act relative to members of the county convention who are not members of the legislature.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 102, An Act relative to use of binder chains on motor vehicles carrying pulp wood.

House Bill No. 240, An Act relative to grossly careless and grossly negligent operation of motor vehicles.

House Bill No. 243, An Act relative to requirement for use of so-called mud flaps on certain motor vehicles.

House Bill No. 446, An Act relative to members of the county convention who are not members of the legislature.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 385, An Act relative to the disposition of fines.

Amend section 1 of the bill by striking out in line 5 the word "rewards" and inserting in place thereof the words, fines and forfeitures.

Further amend section 1 of the bill by adding after the word "fines" in the ninth line the words, and forfeitures, so that said section as amended shall read as follows: 1. *Police Employees.* Amend section 10 of chapter 145 of the Revised Laws, as amended by section 2, chapter 94, Laws of 1949 and by section 12, chapter 163, Laws of 1951, (section 11, chapter 106, R S A) by striking out said section and inserting in place thereof the following new section: 10. *Disposition of Fines and Forfeitures.* Any fee for the performance of an act in line of duty or reward for the apprehension or conviction of any person, or for the recovery of any property, received by or payable to an

employee, shall be paid by him to the commissioner of motor vehicles who shall immediately forward the same to the state treasurer. All fines and forfeitures assessed against any violator of any law of the state relative to the use and operation of motor vehicles apprehended or prosecuted by a police employee shall be sent, except as hereinafter provided, by the court collecting the same from such law violator, to the commissioner of motor vehicles within seven days from their payment, and by him immediately paid into the state treasury. The commissioner of motor vehicles shall forward to the superintendent such information as he may direct relative to said fees and fines. In case of fines collected hereunder by a municipal court which would under the provisions hereof be payable to the commissioner of motor vehicles the municipal court shall, before forwarding, deduct five dollars from each fine and ten per cent of that part of the fine which exceeds five dollars. Said fines shall be disposed of as provided in section 12, chapter 377 of the Revised Laws.

Reading of the amendment having commenced, on motion of Mr. Rainie of Concord, further reading was dispensed with.

On motion of the same member the House voted to concur in the amendment sent down from the Honorable Senate and the bill was sent to the Secretary of State to be engrossed.

The message further announced that the Senate had passed a bill with the following title, and a joint resolution with the following caption, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 6, An Act authorizing the appointment of county public trustees.

Senate Joint Resolution No. 4, Joint resolution relative to continued duties of the attorney-general.

#### **Senate Bill and Joint Resolution Read and Referred**

Senate Bill No. 6, An Act authorizing the appointment of county public trustees.

Read a first and second time and referred to the Committee on Executive Departments and Administration.

Senate Joint Resolution No. 4, Joint resolution relative to continued duties of the attorney general.

Read a first and second time and referred to the Committee on Judiciary.

### Order Vacated

Mr. Scamman of Stratham moved that the order whereby Senate Joint Resolution No. 1 was referred to the Committee on Judiciary be vacated and the joint resolution be put upon its third reading and final passage by caption only at the present time.

The question being on the motion.

(Discussion ensued)

Mr. Scamman of Stratham spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Senate Joint Resolution No. 4, Joint Resolution relative to continued duties of the attorney-general was read a third time and passed and sent to the Secretary of State to be engrossed.

### Resolutions

Mr. Hambleton of Goffstown offered the following resolution:

*Whereas*, the management of the Boston and Maine Railroad has been transferred into the control of a new group, and

*Whereas*, Mr. Patrick B. McGinnis, a newly elected director of the Boston and Maine Railroad, appears to be the spokesman for the new management, and

*Whereas*, it appears that speaking for the new management, Mr. McGinnis has some definite ideas as to the new policies to be adopted for the operation of the Railroad, and

*Whereas*, it might be of interest to the members of the Legislature of the State of New Hampshire to listen to the plans Mr. McGinnis has for the Railroad, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, herewith extend to Mr. Patrick B. McGinnis a cordial invitation to address the membership on the prospects and plans his management has in mind at one of its formal sessions on a Tuesday, Wednesday or Thursday, at his convenience, in the near future, at 11:00 A. M., and be it further

*Resolved*, that the Speaker of the House extend this invitation and that a copy of this resolution be sent to the said Patrick B. McGinnis.

On a *viva voce* vote the resolution was adopted.



Mr. Tessier of Manchester offered the following resolution :

*Whereas*, Charles J. LeClerc, Representative from Manchester, is seriously ill in the Notre Dame Hospital, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, extend to our fellow representative our sincere sympathy in his illness and our best wishes for a speedy recovery, and be it further

*Resolved*, that the Clerk of the House transmit a copy of these resolutions to Representative LeClerc.

On a *viva voce* vote the resolution was adopted.

Mr. Corbett of Concord offered the following resolution :

*Whereas*, Leon C. Stewartson of Concord has passed away, and

*Whereas*, Mr. Stewartson was a former representative from Concord, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, pay tribute to our former fellow member for his services to his city and state, and extend our sympathy to the family in its bereavement, and be it further

*Resolved*, that the Clerk of the House transmit a copy of these resolutions to Mr. Stewartson's brother, Raymond Stewartson.

On a *viva voce* vote the resolution was adopted.

On motion of Mrs. Miner of Meredith the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title and joint resolutions by captions only, and when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 52, An Act to ratify the New England higher education compact.

House Bill No. 76, An Act relative to extension of or additions to the Portsmouth-Seabrook toll road (known as the New Hampshire Turnpike), the Spaulding Turnpike and the Frederic E. Everett Highway.

House Bill No. 250, An Act relative to the forestry and recreation insurance coverage.

House Bill No. 299, An Act relative to the definition of the term "employment" under the federal old-age and survivors' insurance act.

House Bill No. 300, An Act relative to membership of county employees in the employees' retirement system.

House Bill No. 358, An Act relative to fees for business, voluntary and foreign corporations.

House Bill No. 405, An Act extending certain aeronautical appropriations.

House Bill No. 429, An Act relative to loans of credit unions.

House Bill No. 431, An Act relating to tax exemption for institutions, societies and corporations not organized, incorporated, conducted, or operated principally for the benefit of New Hampshire residents.

House Bill No. 458, An Act relating to regular sessions of the Hillsborough county probate court.

House Bill No. 492, An Act to authorize the school district of Litchfield to exceed its bonded indebtedness.

House Joint Resolution No. 38, Joint Resolution for appropriation for carrying out provisions of statute relative to reciprocal agreements for educational facilities for New Hampshire residents.

House Joint Resolution No. 44, Joint Resolution in favor of the Danbury Hospital, Danbury, Connecticut.

Severally read a third time, and passed and sent to the Senate for concurrence.

Senate Bill No. 49, An Act relative to the taxation of personal property on land of another.

Senate Bill No. 56, An Act relative to compensation of the New Hampshire members of the Maine-New Hampshire Interstate Bridge Authority.

Senate Bill No. 71, An Act relating to false reports of crime.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Taylor of Whitefield at 1:23 o'clock the House adjourned.

WEDNESDAY, APRIL 27, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O merciful God and heavenly Father, who hast taught us in Thy holy Word that thou dost not willingly afflict or grieve the children of men; look with pity we beseech thee upon the sorrows of Thy servants who have suffered the loss of a loved one, formerly or at this time, connected with this General Court. Remember them, O Lord, in mercy; endue their souls with patience; comfort them with a sense of Thy goodness; lift up Thy countenance upon them and give them peace. We humbly beseech thee to behold, visit, and relieve any who are sick with whom we have labored here; and in Thy good time restore them to health and enable them to lead the rest of their life in Thy fear and to Thy glory. Through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mr. Soucy of Manchester, Ward 12, led the convention in the salute to the flag.

### Leaves of Absence

Mr. Spaulding of Hudson was granted leave of absence for the day on account of important business.

Mr. Mailloux of Pelham was granted an indefinite leave of absence on account of important business.

### Supreme Court Opinions

*To the House of Representatives:*

The undersigned Justices of the Supreme Court make the following answer to the inquiry contained in your resolution filed April 12, 1955, with reference to House Bill 303, entitled "An Act providing for an income tax."

Prior opinions of the Justices have made it plain that since the 1903 amendment to Article 6 of the Constitution taxes upon incomes, levied at a uniform rate, are permissible although the rate differs from that of the property tax. See *Opinion of the Justices*, March 11, 1955, 112 A. (2d) 44, 46. In 1949, advice was sought concerning a certain provision of House Bill 186, "An Act providing for an income tax," which defined

net income as "net income as defined under the Internal Revenue Code of the United States in effect at the time of passage of this act." *Opinion of the Justices*, 95 N. H. 542. The opinion was then expressed that this provision did "not appear to violate any provision of the Constitution." *Id.*, 542.

House Bill 303 to which your present inquiry relates, in many respects closely follows the provisions of House Bill 186 of the 1949 session. Section 2 however is in sharp contrast with section 2 of the earlier bill. Where that bill provided for a tax of one per cent to be paid "with respect to the taxpayers *net income*" as defined by Federal law, the pending bill would impose a tax "at the rate of ten per cent of the *Federal Income Tax paid* . . . upon every individual resident of this state." (*Italics* supplied).

In our opinion the tax proposed by House Bill 303 is not permitted by the Constitution. We recognize that the rate proposed is a flat or uniform rate of ten per cent. Such a rate applied directly to income would produce a tax permitted by the Constitution. But the proposal is to apply it to amounts which are different percentages of the net incomes of the various taxpayers, graduated according to the size of their incomes. It follows that a tax produced by superimposing a flat rate upon the products of graduated rates will be a graduated tax. See *Alaska Steamship Co. v. Mullaney*, 180 F. (2d) 805, 818.

The Federal taxpayer who pays 20 per cent of his taxable income in Federal taxes would pay 2 per cent in state taxes; while one who pays 24.5 per cent to the United States would pay 2.45 per cent to the state. As between taxpayers the taxes paid to the state would obviously be disproportionate to their respective taxable incomes. This is apparent from illustration. The Federal taxpayer with a taxable income of \$2,000 pays a Federal tax of \$400. Internal Revenue Code of 1954, s. 1. One with a taxable income of \$8,000 pays a Federal tax of \$1,960. *Id.* Ten per cent of the first taxpayers' Federal tax would be \$40, while that of the second would be \$196. Upon four times as much income, the latter would thus pay almost five times as much as the former in taxes to the state.

This is not the equality and proportionality which the Constitution demands. The objection to which House Bill 303 is open was emphasized in *Opinion of the Justices*, 84 N. H. 559, 571: "It is also to be borne in mind that our constitution

does not permit the laying of a graduated or progressive tax. A tax levy cannot be sustained here upon any theory that the richer one is the higher his tax rate should be. *Williams v. State*, 81 N. H. 341." "All taxes on like property and for like purposes must be equal." *Id.*, 575.

As was pointed out earlier in *Opinion of the Justices*, 76 N. H. 609, 611: "A change in either factor, the rate or the valuation, affects the product, which is the tax, in the same way; and in order that the tax may be equal and proportional, all property must be valued alike and taxed at the same rate." Since the effect of the bill is to tax one taxpayer upon one percentage of his income while taxing another upon a different percentage, the taxes produced are unequal and disproportional, even though a uniform rate is applied. Hence the proposed tax is not permitted by the Constitution. *Opinion of the Justices*, (March 25, 1955). "The universal understanding has been that all property must be assessed upon the same percentage of its value." *Opinion of the Justices*, 76 N. H. 588, 593. See also, *Opinion of the Justices*, 95 N. H. 537, 539 and cases cited.

In view of the generality of your question we do not deem it our duty to consider other provisions of the bill in detail. *Opinion of the Justices*, 97 N. H. 533, 540. In our opinion the bill does not conform to fundamental law in its most essential feature.

FRANK R. KENISON,  
LAURENCE I. DUNCAN  
AMOS N. BLANDIN, JR.  
EDWARD J. LAMPRON  
JOHN R. GOODNOW

*To the House of Representatives:*

The undersigned Justices of the Supreme Court submit the following reply to your request for advice upon the question of whether stated provisions of House Bill 186 as proposed to be amended conflict with the Constitution.

Your inquiry is whether those provisions of House Bill 186 as proposed to be amended "which provide that no trust company, similar corporation or national bank shall advertise or circularize the fact that it is authorized to act as executor, [are] in conflict with the Constitution."



The provisions prohibiting banks from advertising their authority to act as executors, which appear in your question and in the proposed amendment to the bill, are now law and have been since 1927, R. L., c. 312, s. 13; Laws 1927, c. 135. Enactment of the bill as proposed to be amended would not alter that prohibition. Your inquiry, as submitted to us, is limited to those provisions relating to advertising. It thus brings into question the constitutionality of existing law. Where the constitutionality of existing law is to be brought in question, "those who may deem their rights infringed . . . may have recourse to our courts for the protection of their supposed privileges." *Opinion of the Justices*, 62 N. H. 704, 705. The constitutional provision for advisory opinions does not apply to such cases. *In re School Manual*, 63 N. H. 574; *Opinion of the Justices*, 67 N. H. 600.

For the reasons indicated we respectfully request that we be excused from expressing an opinion upon the question embodied in your resolution.

FRANK R. KENISON  
LAURENCE I. DUNCAN  
AMOS N. BLANDIN, JR.  
EDWARD J. LAMPRON  
JOHN N. GOODNOW

### Communication

The Speaker read the following letter:

HONORABLE CHARLES GRIFFIN

Speaker of the House of Representatives

Concord, New Hampshire

*Dear Mr. Speaker:*

I submit herewith my capital budget recommendations for the next biennium in a bill entitled, "An Act Making Appropriations for Capital Improvements and Long Term Repairs for the State of New Hampshire."

While I realize that the appropriate committees and the members of the General Court will give their usual careful consideration to these proposals, I would like to make certain comments which may be helpful. It has been my impression for some time, and I so stated in my Inaugural Address, that there has been a tendency for the Legislature to make capital budget

authorizations without a true appreciation of the annual operating charges which would eventually result therefrom. It is my desire to indicate to the General Court my most careful estimates as to what effect this capital budget will have on future appropriation bills.

The proposals fall into three general categories:

- (1) Appropriations to complete and furnish new buildings previously authorized and now under construction. Operating budgets for these facilities have already been provided in the regular budget.
- (2) Major repairs and alterations of a long term nature which will not incur additional operating expenses and which in some instances, due to increased efficiency, may result in actual savings. Included in this category are extensive rehabilitation proposals for buildings at the Laconia State School and a provision for installation of automatic sprinklers in certain buildings where patients are housed at the State Hospital, Laconia, and the State Sanatorium.
- (3) New building construction, required for increased institutional population, which will result in additional annual operating expenses subsequent to the next biennium.

Careful estimates of increased operating costs once the proposed new buildings are completed are as follows:

State Hospital	\$152,000
Industrial School	17,300
Keene Teachers College	800
	<hr/>
	\$170,100

It should be pointed out that under normal construction schedules no bonds would be issued for this capital budget during the next biennium. However, on the basis of a fifteen year amortization period and current interest rates, debt service requirements of \$160,000 annually plus total interest of \$225,000 would be necessary for the years 1958 through 1973, chargeable against general funds.

In addition to the General Fund capital budget submitted above, I am recommending a capital appropriation of \$108,500 to be amortized from funds of the Recreation Division, the

principal item of which is the replacement of the track cable at the Cannon Mountain Aerial Tramway.

Sincerely yours,

LANE DWINELL.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Mr. Kelley of Littleton), House Bill No. 516, An Act relative to powers and duties of the town of Littleton and repealing the charter of the Littleton Village District. To the Committee on Judiciary.

By the Committee on Rules (Mr. Angus of Claremont), House Bill No. 517, An Act making appropriation and long term repairs for the state of New Hampshire. To the Committee on Appropriations.

### Committee Reports

Mr. Davis of Cornish, for the Committee on Agriculture, to whom was referred Senate Bill No. 44, An Act relative to trespassing stock, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Crandall of Dover, for the Committee on Banks, to whom was referred House Bill No. 462, An Act relating to investments of savings banks, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by inserting after section 13 the following new sections:

14. *New Hampshire Real Estate*. Amend paragraph I of section 4 of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (paragraph I of section 4, chapter 387, R S A) by inserting after the word "title" in the forty-first line the following: or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally

agreed to purchase, so that said paragraph as amended shall read as follows: I. *New Hampshire Real Estate*. Those directly secured by first mortgage on real estate situated within this state or within any state contiguous to this state; but no such investment shall be in a loan that exceeds seventy per cent of the value of the real estate by which it is secured; except that investment may be in a loan which exceeds seventy per cent but not eighty per cent of the value of the real estate by which it is secured, provided that it be secured by a first mortgage on real estate in this state containing a dwelling unit for not more than four families, and which mortgage shall provide for payment of the note within a period of twenty years from the date when the first monthly payment shall become due, and the first monthly payment shall become due nine months from the date of the note or one month from the final disbursement of funds, whichever shall first occur, and which payments shall include a proportionate share of the amount necessary to pay the real estate and other taxes upon such property. No loan on mortgage shall be made except upon written application showing the date, name of applicant, amount asked for and security offered and except upon report of not less than two members of the board of trustees or board of directors, who shall certify on said application, according to their best judgment, on the basis of an appraisal made by one of their members, or by some officer of the bank, or some appraiser employed by the bank for the purpose of appraisal, the value of the premises to be mortgaged; and such application shall be filed and preserved with the records of the corporation. The premises so mortgaged shall be revalued in the same manner at intervals of not more than five years so long as they are mortgaged to the corporation. If at the time of such revaluation the amount of the loan is in excess of the percentage of the value of the premises mortgaged as allowed above, a sufficient reduction in the amount of the loan shall be required, as promptly as may be practical, to bring the loan to within the authorized percentage. In determining whether any loan exceeds the authorized percentage of the value of the real estate, no consideration shall be given to (1) that portion of the obligation which is guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time, or (2) an obligation wholly guaranteed under such title

or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally agreed to purchase, nor shall any bank be restricted to the above authorized percentages on a loan secured by property which the borrower is purchasing from the bank.

15. *Other Real Estate.* Amend paragraph IV of section 4 of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (paragraph I of section 4, chapter 387, R S A) by inserting after the word "title" in the sixteenth line the following: or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally agreed to purchase, so that said paragraph as amended shall read as follows: IV. *Other Real Estate.* Those directly secured by first mortgage or real estate situated without this state, but entirely within the United States, except as provided in paragraph I, which at the time of such investment is improved, occupied and productive; and no such investment shall be in a loan that exceeds fifty per cent of the value of the real estate by which it is served, unless the loan is further secured by a guaranty satisfactory to the commissioner, in which case it shall not exceed sixty per cent of the value of the real estate by which it is secured. In determining whether any loan exceeds the above specified percentages of the value of the real estate, no consideration shall be given to (1) that portion of the obligation which is guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time or (2) an obligation wholly guaranteed under such title or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally agreed to purchase, nor shall any bank be restricted to the above authorized percentages on a loan secured by property which the borrower is purchasing from the bank. The provisions of this paragraph shall not apply to bonds of railroads, utilities, water companies or telephone and telegraph companies. No loan or investment shall be made under this paragraph upon real estate situated outside of New England except through or from an individual, partnership, association or corporation duly registered as a dealer in securities in this state, nor except upon written application showing the date, name of applicant, amount asked for and security offered.



16. *Purchase, Sale and Servicing of Loans.* Amend chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (chapter 387, R S A) by inserting after section 21 the following new section. 21-a. *Purchase, Sale and Servicing of Loans.* Any savings bank may sell, transfer, assign, purchase and repurchase loans authorized by this chapter and may act as servicing agent for the collection and application of payments due on account of loans owned by others and may employ others to act as servicing agents for the collection and application of payments due on account of loans owned by it.

17. *Collateral Loans.* Amend section 5 of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (section 5, chapter 387, R S A) by inserting after paragraph III the following new paragraph: III-a. Notes eligible for insurance by the Federal Housing Commissioner, provided a contract of insurance exists between the holder and the Federal Housing Commissioner as provided in Title I of the National Housing Act.

18. *Unsecured Loans.* Amend paragraph IV of said section 5 by striking out all after the word "note" in the twelfth line so that said paragraph as amended shall read as follows: IV. *Unsecured.* Notes with two or more signers, or one or more endorsers, or notes of noncorporate makers whose net worth is not less than two hundred and fifty thousand dollars. No savings bank shall invest under this paragraph, except in notes with two or more signers, or one or more endorsers, unless its guaranty fund is full and unimpaired and the total value of its assets as determined by the commissioner exceeds the amount of its deposits by at least ten per cent. A bank which takes under this paragraph a note payable on demand shall demand payment of said note not later than one year from the date thereof, but may accept a new note in payment of such demand note.

19. *Investments of Savings Banks. Limitations.* Amend paragraph I of section 3 of chapter 310 of the Revised Laws as inserted by chapter 195 of the Laws of 1953, (section 3, chapter 387, R S A) by striking out said paragraph and inserting in place thereof the following: I. Not exceeding fifteen per cent of the capital funds shall be invested in the obligations or stock of any individual, partnership or corporation except

public obligations and loans authorized by paragraphs II and III of section 4 of this chapter. Notwithstanding the foregoing a bank having deposits of one million dollars or less may invest an amount not exceeding two and one-half per cent of said deposits or fifteen per cent of capital funds, whichever is greater, in loans authorized by paragraph I of section 4 of this chapter.

Further amend the bill by renumbering section 14 to read section 20.

The report was accepted, and the amendment laid upon the table to be printed under Rule 48.

Mrs. Gagnon of Berlin, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 370, An Act relative to trespass and theft of forest growth, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by existing legislation.

The report was accepted and the resolution of the committee adopted.

Mr. Reed of Goffstown, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 403, An Act relating to the preservation of private business records and to make uniform the law with reference thereto, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Perley of Lebanon moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Mr. Perley of Lebanon spoke in favor of the motion.

Mr. Rainie of Concord spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone did not prevail and the bill was ordered to a third reading.

Mr. Haigh of Salem, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 432, An Act relative to returns filed with the tax com-

mission under taxation of incomes, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Eastman of Weare, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 439, An Act relative to Alexander Cemetery Association, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Anderson of Concord, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 479, An Act requiring certificates to be filed by selectmen with tax commission to be used in determining average rate of taxation, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being, Shall the bill be ordered to a third reading?

(Discussion ensued)

Messrs. Rainie of Concord and Perley of Lebanon spoke in favor of the question.

On a *viva voce* vote the bill was ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 215, An Act relative to the posting of land adjacent to woodlands, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 by striking out said section and inserting in place thereof the following: 1. *Trespass*. Amend section 14-a of chapter 442 of the Revised Laws as inserted by chapter 171 of the Laws of 1951 and as amended by chapter 200, Laws of 1953 (section 15, chapter 572, RSA) by striking out said section and inserting in place thereof the following: 14-a. *Penalty*. Whoever without right enters upon the cultivated land of another which has been posted with notices as

described in section 14-b, shall be fined not more than fifty dollars, or imprisoned not more than six months, or both. For the protection of inhabited dwellings the owners or occupants thereof may post any land which they own or occupy within two hundred yards of said dwellings using signs as provided for this purpose in section 14-b. Whoever without right when carrying firearms, enters upon such posted land within two hundred yards of an inhabited dwelling shall be fined not more than fifty dollars.

Amend section 2 by striking out said section and inserting in place thereof the following: 2. *Isolated Dwellings*. Amend section 14-b of chapter 442 of the Revised Laws as inserted by section 2, chapter 171, Laws of 1951 and as amended by chapter 200 of the Laws of 1953 (section 16, chapter 572, RSA) by striking out said section and inserting in place thereof the following: 14-b. *Notices*. The notices referred to in section 14-a shall conform to the following requirements: Posting notices shall be of durable material with the words NO HUNTING or TRESPASSING, printed with block letters not less than two inches in height, and shall contain also the name and address of the owner or lessee of such land. Such signs shall be not more than one hundred yards apart and shall be posted also at the gates, bars and commonly used entrances. Notices on land within two hundred yards of an inhabited dwelling shall be placed as provided for posting notices herein and shall read NO HUNTING, NO TRESPASSING, OCCUPIED DWELLING WITHIN 200 YARDS and shall contain the name and address of the owner or lessee.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 319, An Act relative to wild bear, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by House Bill No. 437.

The report was accepted and the resolution of the committee adopted.

Mr. Angus of Claremont, for the Committee on Labor, to whom was referred House Bill No. 170, An Act creating a group

life insurance program for state employees, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Employees' Group Life Insurance.* Amend the Revised Laws by inserting after chapter 27-B (chapter 98 R S A) the following new chapter:

## CHAPTER 27-C

### Employees' Group Life Insurance

1. *Insurance Authorized.* The director of purchase and property is hereby authorized within ninety days after the effective date of this chapter and upon the recommendation of the committee defined in section 2, to negotiate for and procure a group policy of life insurance to be effective on the lives of all permanent state employees and officials in state service other than the members of boards, commissions, or committees paid on a per diem basis, regularly employed in the state service.

2. *Committee.* The committee shall be composed of five members: the director of purchase and property, the state comptroller, the insurance commissioner, and two state employees selected by the president of the state employees' association.

3. *Eligibility.* All permanent state employees as specified in section 1 are eligible to receive such coverage provided that they have completed their six months' probationary period.

4. *Selection of Coverage.* The employee will be automatically insured for the maximum amounts applicable to him commencing on the date he first becomes eligible provided that any employee desiring not to be insured shall, on an appropriate form, give written notice to his employing office within 31 days of date of eligibility, that he desires not to be insured. If such notice is received before the employee shall have become insured under such policy, he shall not be so insured; if it is received after he shall have become insured, his insurance under the policy will cease effective with the end of the pay period during which the notice is received by the employing office.

5. *Amounts of Insurance Available.* Group life insurance



shall be available in the following amounts: \$1,000, \$2,000, \$3,000, \$4,000 and \$5,000. An employee earning under \$2,001 annually shall be entitled to receive \$1,000 of life insurance. An employee earning \$2,001 but less than \$3,001 annually shall be entitled to receive \$2,000 of life insurance. An employee earning \$3,001 but less than \$4,001 annually shall be entitled to receive \$3,000 of life insurance. An employee earning \$4,001 but less than \$5,000 annually shall be entitled to receive \$4,000 of life insurance. An employee earning \$5,001 and over annually shall be entitled to receive \$5,001 of life insurance. On attaining the age 65, the employee shall be insured for 50% of his amount of insurance; on attaining the age 70, the insurance will cease.

6. *Employee Contributions.* During any period in which an employee is insured there shall be withheld by payroll deduction as his share of the cost an amount not to exceed \$.80 per month for each \$1,000 of such insurance.

7. *Premium Rates and Returns.* The initial premium rate shall be the minimum rate permitted an insurance company authorized to do business in all states. Any dividends or rating credits shall first be applied to reduce the state's cost.

8. *Administration.* The committee defined in Section 2 shall employ a Fellow of the Society of Actuaries at an amount not to exceed \$1,000 to prepare specifications and review bids prior to the determination of an insurance carrier. This sum will be paid out of the money appropriated for this chapter.

9. *Payments to the Insurer.* The comptroller shall keep an account of the monies withheld under the provisions of section 3 and shall cause such monies and the amount due from the state for its portion of the premium to be forwarded to the insurer.

10. *State Contributions.* The state comptroller in preparing the executive budget for each ensuing biennium shall include in the budget such sums of money as are necessary to defray the costs of the state's portion of the group insurance premium and such amounts shall be appropriated by the legislature.

11. *Funds.* All funds made available for the purposes of this chapter shall be kept by the state treasurer in a separate fund to be known as the Group Life Insurance Employee Fund.

All dividends, rebates and refunds which may be received from the insurer shall also be credited to this fund. The funds in this special fund shall be a continuing appropriation and shall not lapse.

12. *Appropriation.* For the biennium beginning July 1, 1955, there is hereby appropriated to the Group Life Insurance Fund, defined in section 11 the amounts of money as shown in the following schedule.

		Fiscal Yr. Ending	Fiscal Yr. Ending
	Biennium	6/30/56	6/30/57
General Fund	\$34,658.	\$25,521.	\$9,137.
Highway	16,417.	12,089.	4,328.
Federal	5,083.	3,743.	1,340.
Fish and Game	2,258.	1,663.	595.
Recreation	1,168.	860.	308.
Self-Sustaining	639.	470.	169.
Total	\$60,223.	\$44,346.	\$15,877.

The Governor is hereby authorized to draw his warrants for the sums hereby appropriated.

13. *Takes Effect.* This act shall take effect as of July 1, 1955.

The report was accepted.

The question being on the amendment.

On motion of Mr. Angus of Claremont, reading of the amendment was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill referred to the Committee on Appropriations under the rules.

Mr. Haley of Keene, for the Committee on Labor, to whom was referred House Bill No. 343, An Act relative to state employees' group life insurance, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Haley of Keene, for the Committee on Labor, to whom was referred House Bill No. 344, An Act authorizing purchase

of group term life insurance covering state employees, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Green of Rollinsford, for the Committee on Public Health, to whom was referred House Bill No. 331, An Act relative to protection of public water supply, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by inserting after the word "highway" in the third line the words, access roads, or private ways of any sort, so that said section as amended shall read as follows: 1. *Protection from Highways*. Amend chapter 166 of the Revised Laws (chapter 148, R S A) by adding at the end thereof the following new section: 36. *Highway Construction*. No public highway, access roads, or private ways of any sort, shall be constructed so as to traverse any watershed tributary to a lake, pond or reservoir used for the storage of public drinking water without first obtaining the approval of the state board of health.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Green of Rollinsford, for the Committee on Public Health, to whom was referred House Bill No. 452, An Act relative to bread enrichment and oleomargarine, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### **Report of Committee on Engrossed Bills**

Mrs. Palmer of Plaistow, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate Joint Resolution:

Senate Joint Resolution No. 4, Joint Resolution relative to continued duties of the attorney general.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 37, An Act relating to hawkers and peddlers.

House Bill No. 198, An Act relative to distribution of certain assets of dissolved business corporations.

House Bill No. 237, An Act relative to the unemployment compensation law.

House Bill No. 244, An Act relative to minimum speed regulation of motor vehicles.

House Bill No. 276, An Act to regulate the practice of professional engineering.

House Bill No. 312, An Act relating to interstate compact on juveniles.

House Bill No. 430, An Act relative to orders of mayors and aldermen or selectmen for muzzling and restraining dogs.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on:

House Bill No. 16, An Act to promote safety on the highways by regulating access from state highways to drive-in theatres.

Pursuant to the above, the President appointed as members of such committee on the part of the Senate, Senators Packard of District No. 16 and Foote of District No. 24.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 342, An Act relative to the pay of the national guard.

Amend section 1 of the bill by striking out in line 11 the remainder of the sentence after the word "army" so that said section as amended shall read as follows: 1. *National Guard*. Amend section 60 of chapter 143 of the Revised Laws, as amended by section 1 of chapter 185 of the Laws of 1947,

(section 60, chapter 110, RSA) by striking out said section and inserting in place thereof the following: 60. *Per Diem*. For each day's service in complete uniform, when ordered out by the governor for duty, except for annual inspection, each commissioned officer, non-commissioned officer, warrant officer and enlisted man of the New Hampshire national guard shall be paid at the same rate of pay as that designated in the pay tables of the United States army for officers, warrant officers, non-commissioned officers and enlisted men of corresponding rank and grade and length of service in the regular army.

On motion of Mr. Chase of Dover, the House voted to concur in the amendments sent down from the Honorable Senate.

The bill was sent to the Secretary of State to be engrossed.

House Bill No. 404, An Act relative to real estate investments of building and loan associations.

Amend said bill by inserting after section 1 the following new section:

2. *Time Extended*. Amend section 10, chapter 314, Revised Laws, as amended by section 1, chapter 140, Laws of 1945 (section 15, chapter 393, RSA) by striking out the word "twenty" in line seventeen and inserting in place thereof the word, twenty-five, so that said section as amended shall read as follows: 10. *Loans*. Any such corporation may loan money so collected, together with interest, premiums, fines and profits arising from the business, to its shareholders and members on first mortgages on real estate, or on buildings in the town of Hampton situated on land not belonging to the owner of the building. The loans shall not exceed the appraisal value of said property. Such corporation may accept other satisfactory collateral as additional security for the loan. A premium may be charged in excess of the established rate of interest. Said loans shall be share sinking fund or direct reduction loans. In share sinking fund loans serial shares of the corporation shall also be pledged sufficient in amount to repay the loan upon maturity. Direct reduction loans shall be repayable in monthly installments sufficient to amortize the same paying off interest or premium and principal in any period of time not exceeding twenty-five years. Any such corporation holding a first mortgage on such property may take a subsequent mortgage or mortgages on the same property provided



that there are no intervening liens. Any shareholder may borrow on the shares of such corporation up to the full value thereof at the time of the loan.

Further amend said bill by renumbering section 2 to read section 3.

Amend the title of said bill by inserting after the word "investments" the words, and loans, so that said title as amended shall read as follows: An Act relative to real estate investments and loans of building and loan associations.

On motion of Mr. Carr of Orford, the House voted to concur in the amendments sent down from the Honorable Senate.

The bill was sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 102, An Act relative to use of binder chains on motor vehicles carrying pulp wood.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to securing certain loads on motor trucks and trailers.

Amend section 1 of said bill by inserting after the heading for section 39-c the figure, I.

Further amend said bill by striking out the figures "2" and "3" where they appear at the beginning of sections 2 and 3 and inserting in place thereof the figures II and III respectively.

Further amend said bill by striking out the word and figures "paragraphs 1 and 2" and inserting in place thereof the word and figures, paragraphs I and II.

Further amend said bill by renumbering section 4 to read section 2.

On motion of Mr. Sleeper of Haverhill, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills, and the bill was sent to the Secretary of State to be engrossed.

House Bill No. 353, An Act relating to extended coverage in policies of liability insurance.

Amend section 1 of said bill by inserting after the figure "1951" the following: (section 14, chapter 415 R S A).

On motion of Mr. Carr of Orford, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills, and the bill was sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 47, An Act relative to the care and treatment of sexual psychopaths.

Senate Bill No. 81, An Act relative to the charter of the Plymouth Guaranty Savings Bank.

### **Senate Bills Read and Referred**

The following Senate bills were introduced, read a first and second time and referred as follows:

By Senator Ferguson of District No. 14, Senate Bill No. 47, An Act relative to care and treatment of sexual psychopaths. To the Committee on Public Welfare and State Institutions.

By Senator Matthews of District No. 5, Senate Bill No. 81, An Act relative to the charter of the Plymouth Guaranty Savings Bank. To the Committee on Executive Departments and Administration.

### **Presentation to Speaker**

Mrs. Martin of Littleton presented the Speaker with a pair of buckskin gloves made by the Saranac Glove Co. of Littleton.

### **Resolutions**

Mr. Faulkner of Keene offered the following resolution:

*Whereas*, House Bill No. 424, An Act creating an industrial development authority is now pending in the House of Representatives; and

*Whereas*, there is doubt as to the constitutionality of the provisions of section 9 of said bill relative to the issuance of notes and purchase by the state treasurer;

*Resolved*, that the Justices of the Supreme Court be respectfully requested to give their opinion upon the following question of law:

Do the provisions of section 9 of the bill appear to be in conflict with the Constitution?

*Further Resolved*, that the Speaker transmit six copies of this resolution and of House Bill No. 424 to the Clerk of the Supreme Court for appropriate action.

On a *viva voce* vote the resolution was adopted.

Mr. Pillsbury of Manchester offered the following resolution.

*Whereas*, Mrs. Bridget E. Geisel, wife of Joseph H. Geisel, Representative from Manchester, has passed away, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, extend our heartfelt sympathy to our fellow member in his bereavement, and be it further

*Resolved*, that the Clerk of the House procure flowers for the funeral, and be it further

*Resolved*, that the Clerk of the House transmit to Representative Geisel a copy of these resolutions.

On a rising vote the resolution was unanimously adopted.

Mr. Sawyer of Woodstock, and Vogel of Canterbury offered the following resolution:

*Whereas*, it has come to the attention of the House that employees of the Bureau of Weights and Measures solicit contributions from persons over whom they have law enforcement supervision, and

*Whereas*, this practice appears to be unethical on the part of said employees, and not in the public interest, therefore be it

*Resolved*, that a House committee be requested by the Speaker to investigate this situation and recommend suitable legislation, if deemed advisable.

The resolution was referred to the Committee on Executive Departments and Administration.

On motion of Mr. Wadleigh of Milford the rules were

suspended to allow business in order at 3:00 o'clock to be in order at the present time that third readings of bills be by title only, and when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Bill No. 215, An Act relative to the posting of land adjacent to woodlands.

House Bill No. 331, An Act relative to protection of public water supply.

House Bill No. 403, An Act relating to the preservation of private business records and to make uniform the law with reference thereto.

House Bill No. 439, An Act relative to Alexander Cemetery Association.

House Bill No. 452, An Act relative to bread enrichment and oleomargarine.

House Bill No. 479, An Act requiring certificates to be filed by selectmen with tax commission to be used in determining average rate of taxation.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Miss Bailey of Newport at 12:46 o'clock the House adjourned.

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THURSDAY, APRIL 28, 1955

The House met at 11:00 o'clock.

Prayer was offered by guest chaplain, the Rev. Quentin L. Hand, pastor of Bow Mills and Suncook Methodist Churches.

Almighty God, the source of all authority and the giver of law and reason; endue these officials of our state with wisdom and understanding. May they wear with dignity the mantle of authority delegated to them by the people. May their deeds endure the test of time as does our state's granite.

Extend Thine aid to them in their official activities. Help them to maintain with clarity the line between human prejudice and holy principle. Give them courage to bear the fear of criticism. May they stand upright when the winds of partisanship and economic allurements seek to bend them. May they

know that the pill of expediency, while sweet to the taste, lies bitter in the stomach.

And while Thou dost teach them these lessons, be pleased to approve their endeavors to serve this state. Support them in every just cause; bless them in every good deed. And when each day's work is done, bless them with restful sleep. In Jesus' name we pray. Amen.

### **Salute to the Flag**

Mr. Varrell of Laconia led the convention in the salute to the flag.

### **Leaves of Absence**

Messrs. Rogers of Laconia and Hadley of Hillsborough were granted leaves of absence for the day on account of important business.

Mr. Thibault of Nashua was granted an indefinite leave of absence on account of illness.

### **Introduction of Bills**

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Mr. Scamman of Stratham), House Bill No. 518, An Act relative to the purchase of motor vehicles for the use of the state. To the Committee on Appropriations.

By the Committee on Rules (Mr. Chase of Dover), House Bill No. 519, An Act relative to the practice of dentistry. To the Committee on Public Health.

### **Printing and Reference Dispensed With**

On motion of Mr. Chase of Dover, the rules were suspended to dispense with the printing and reference to committee of House Bill No. 519, An Act relative to the practice of dentistry.

On motion of the same member, the rules were further suspended to allow third reading and final passage, by title only, at the present time of House Bill No. 519.

House Bill No. 519, An Act relative to the practice of dentistry, was read a third time and passed, and sent to the Senate for concurrence.



### Committee Reports

Mr. Ashley of Lebanon, for the Committee on Ways and Means, to whom was referred House Bill No. 23, An Act to legalize greyhound racing in New Hampshire and to establish a state greyhound racing commission, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

(Discussion ensued)

Mr. Ashley of Lebanon spoke in favor of the question.

Mr. Chase of Dover moved to substitute the words "ought to pass" for the words "inexpedient to legislate."

The question being on the motion.

(Discussion ensued)

Messrs. Chase of Dover and Perley of Lebanon spoke in favor of the motion.

Mr. Bradley of Hanover spoke against the motion.

Mr. Jones of Lebanon moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Jones of Lebanon, Malley of Somersworth, Sherwin of Rindge, Bascom of Acworth, Reed of Goffstown, Pillsbury of Manchester, and Mrs. Herrick of Deering spoke in favor of the motion.

Messrs. Plumer of Bristol, Craig of Manchester, Gamache of Manchester and Brown of Marlow, and Miss Collyer of Lisbon, and Mrs. St. Pierre of Rochester spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Corbett of Concord demanded the yeas and nays, and the roll was called with the following result:

## Yeas—239

MERRIMACK COUNTY: Phelps, Ellsworth, Vaughn of Bow, Vogel, Stevens, Dowd, Davis of Concord, Henry, Colbath, Hancock, Shea of Concord, Lessels, Nelson of Concord, Corbett, Rainie, Maxham, McKee, Walker, Mahoney of Concord, Anderson, Nutter, Mulaire, Davis of Hopkinton, Brown of Loudon, Gay of New London, Wilman, Ayer of Pittsfield, Young, Lovejoy, Bigelow, Workman.

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Black, Herrick, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Fortin, Goodwin, Lang of Manchester, Pettigrew, Soucy of Manchester, Ward 1, Danforth, Mahony of Manchester, Pillsbury of Manchester, Robb, Dwyer, Hayes, Horan, Sullivan, Nolan, Betley, Walsh, Callahan, Casey, Ecker, Delisle, Cary, Bergeron, Kearns, Schricker, Alexander, Boisvert, Hurley, Lareau, Martel, Vaillancourt, Gauthier, Gelinis, Lesmerises, Cannon, Donnelly, Deans, Falconer, Wadleigh, Buckley, Cummings, Ramsdell, Saunders, Boire, Ayers of Nashua, Brosnahan, Maynard, Pappagianis, Dionne of Nashua, Shea of Nashua, Dugas, Dutilly, Grandmaison, Dumais, Aho, Dutton, Rice, Willard, Eastman of Weare.

CHESHIRE COUNTY: Pike, Smith of Hinsdale, Perry, Spofford, Haley, Kirk, McCullough, Wheeler, Bennett, Brown of Keene, Coddington, Faulkner, Carlton, Sherwin, Lane, Ballam, Rhodes, Billings, Ingham, Thompson.

SULLIVAN COUNTY: Bascom, Frizzell, Bloomfield, Bissonett, Millar, Marcotte, Davis of Cornish, Nelson of Goshen, Bailey, Roe, Rowell, Vaughan of Newport, Pierce, DeLude.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Stevenson, Clarke of Canaan, Atkins, Bradley, Hayward, Holden, Clement of Landaff, Adams, Ashley, Cole, Jones of Lebanon, Townsend, Gardner of Littleton, Martin, Frazer, Carr, Bell.

COOS COUNTY: Fortier, Russell, Sheridan, Bouchard, Rines, Hurlbert, Bishop, Ross, Ferguson, Cornelius, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Tenney, Shattuck, Fogg, Clarke of Derry, Gáy of Derry, Nickerson of East Kingston, Blair, Eastman of Exeter, Eldredge, Merrill, Rathbone, Weeks of Greenland, Spollett, Hunter, Thurlow, Parmenter, McCaffery, Cheney, Carter,

Palmer, Barrett, Hundley, Murch, Quirk, Travis, Joyce, Wardwell, Munz, Ingraham, Mafera, Philbrick, Haigh, Willis (Howard) Pillsbury of Sandown, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Felker, Pearson, Funkhouser, Littlehale, Wentworth, Evans, Rolfe, Dustin, Nadeau, Studley, Clement of Rochester, Estes, Green, Malley, Brown of Strafford.

BELKNAP COUNTY: McAllister, Gardner of Gilford, Robertson, Hart, Tilton. Ballentine, Burbank, O'Shan, Smith of Meredith, Urie, Atwood.

CARROLL COUNTY: Chandler, Downs, Nickerson of Madison, Lamprey, Hayden, Hodge, Remick, Hodgdon, Ford.

### Nays—122

MERRIMACK COUNTY: Baron, Ferrin, Broadhurst, Burke, Kenney, Charland, Dempsey, Carpenter, Mason, DuDevoir, Payeur, Thibeault of Pembroke, Bean.

HILLSBOROUGH COUNTY: Farwell, Abbott, Latour, Fitzgerald, Kean, Smith of Manchester, Clancy, Healy of Manchester, Ward 6, Slowey, Corey, Paradis, Tessier, Craig, Langlois, Lavoie, Morris, Auger, Soucy of Manchester, Ward 12, Dion of Manchester, Lafond, Gamache, Peaslee of Merrimack, Belcourt, Trombley, Chartrain, Ryan, Sweeney of Nashua, Jean, Langelier, Bouthillier, Locke, Bardol.

CHESHIRE COUNTY: Burnham, Post, Pickett, Waling, Brown of Marlow, Terrill, Bouvier, Lang of Troy.

SULLIVAN COUNTY: Angus, Firestone, Simms, Stone, Reney.

GRAFTON COUNTY: Ramsey, Plumer, Willey, Sanborn, Larty, Perley, Collyer, Talbot, Huckins, Barney, Sawyer.

COOS COUNTY: Roy, Brungot, Christiansen, Fontaine, Gagnon, Potter, Annis, Bushey, Converse, Phelan, Stinson.

ROCKINGHAM COUNTY: Persson, Barka, Bisbee, Jones of Fremont, Tobey, Battles, Labranche, Sewall, Dondero, Sadler, Leary, Felch.

STRAFFORD COUNTY: Chase, Hennessey, Moher, Karkavelas, Desjardins, Connell, Crandall, Flanagan, Stearns, Mros, Nute, Chadbourn, Lacasse, St. Pierre, Maloomian, Letourneau, Cormier, Beamis.

BELKNAP COUNTY: Skinner, Boutin, Morin, Simoneau, Karagianis, Dana, Varrell, Miner, Metcalf.

CARROLL COUNTY: Roberts, Stokes, Weeks of Wolfeboro.

### Pairs

Mr. Kelley of Littleton voting Yes, paired with Mr. Dus-sault of Berlin voting No.

Mr. Alls of Colebrook voting Yes, paired with Mr. Baker of Stewartstown voting No.

Mr. Rogers of Laconia voting Yes, paired with Mr. Spaulding of Hudson voting No.

Mr. Benson of Conway voting Yes, paired with Mr. Peaslee of Wakefield voting No.

And the motion to indefinitely postpone prevailed.

Mr. Waterhouse of Windham, for the Committee on Ways and Means, to whom was referred House Bill No. 378, An Act authorizing the licensing of greyhound racing on which the pari mutuel system of wagering shall be permitted, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Karkavelas of Dover, for the Committee on Liquor Laws, to whom was referred House Bill No. 436, An Act providing for the sale of wines by grocery stores, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The minority of the Committee on Liquor Laws, to whom was referred House Bill No. 436, An Act providing for the sale of wines by grocery stores, having considered the same, and

being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

LORENZO P. GAUTHIER,  
HARRY J. DANFORTH,  
JAMES L. MAHONY,  
A. J. MARCOTTE,

*For the Minority of the Committee.*

The reports were accepted.

Mr. Mahony of Manchester moved to substitute the report of the minority for that of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Mr. Mahony of Manchester spoke in favor of the motion.

Mr. Clement of Rochester spoke against the motion.

Mr. Charland of Franklin moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the minority report for that of the majority.

On a *viva voce* vote the motion did not prevail.

Mr. Mahony of Manchester called for a division.

A division being had, 48 members having voted in the affirmative and 242 members having voted in the negative, the motion to substitute did not prevail.

The question being on the resolution of the committee.

On a *viva voce* vote the resolution of the committee was adopted.

### Special Order

Mr. Pickett of Keene moved that House Bill No. 190, An Act relating to discrimination because of race, creed, color, ancestry or national origin, and its accompanying report, be made a special order for Tuesday, May 3, at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Messrs. Pickett of Keene, Pillsbury of Manchester and Mrs. Brungot of Berlin spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.



Mr. Metcalf of Tilton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 473, An Act relative to erection of so-called historical signs, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend Section 39 of Part 19, chapter 90 of the Revised Laws as inserted by section 1 of the bill by inserting after the words "historic events" in the fifth line the words, at an expense not to exceed five hundred dollars (\$500.) per year, so that said section as amended shall read as follows:

39. *Authority for Erection.* The commissioner of public works and highways may on his own motion or shall, upon petition of twenty or more citizens of the state, erect, within the right of way of any class I, II or III highway, signs for the purpose of indicating the occurrence of historic events, at an expense not to exceed five hundred dollars (\$500.) per year. Prior to the erection of any such signs the commissioner shall consult and secure the approval of the board established by section 40, as hereinafter provided. Nothing herein shall be construed to permit the erection of signs which will interfere with the reasonable use of said highways.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Brosnahan of Nashua, for the Committee on Labor, to whom was referred Senate Bill No. 65, An Act relative to retirement system for firemen, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Skinner of Alton, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 58, An Act providing for the classification of certain surface waters in Cheshire county, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Flanagan of Dover, for the Special Committee consisting of the members from the city of Dover, to whom was referred House Bill No. 427, An Act relative to the ward lines of the wards of the city of Dover, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend that part of section 1 which refers to Ward 1 by striking out the same and inserting in place thereof the following:

Ward 1. The dividing lines between wards 1 and 2 of said city shall hereafter be as follows: Commencing on the line of the town of Rollinsford on the old road leading from Garrison hill to South Berwick; thence by said road westerly by the nurses' home, so-called, of the Dover-Wentworth Hospital to the junction of said road with Central Avenue; thence southerly by the center of Central Avenue to the center of the bridge over Cocheco River; thence westerly in a direct line to the center of the river at the foot of Chestnut Street, and all of the territory in said city lying northerly of said above described line, and between said Cocheco River and the town lines of Rollinsford and Somersworth shall be included in and constitute ward 1 in said city.

The report was accepted.

Mr. Moher of Dover moved that the bill be recommitted.

The question being on the motion to recommit.

(Discussion ensued)

Mr. Moher of Dover spoke in favor of the motion.

Mr. Flanagan of Dover spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

The question being, Shall the bill be ordered to a third reading?

On a *viva voce* vote the bill was not ordered to a third reading.

Mr. Pickett of Keene called for a division.

A division being had, 115 members having voted in the affirmative and 144 members having voted in the negative, the bill was not ordered to a third reading.

Mr. Spaulding of Hudson moved that the bill as amended be recommitteed.

On a *viva voce* vote the motion to recommit prevailed.

### Report of Committee on Engrossed Bills

Mrs. Hayden of Ossipee, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House and Senate bills:

House Bill No. 198, An Act relative to distribution of certain assets of dissolved business corporations.

House Bill No. 244, An Act relative to minimum speed regulation for motor vehicles.

House Bill No. 385, An Act relative to the disposition of fines.

House Bill No. 312, An Act relating to an interstate compact on juveniles.

Senate Bill No. 8, An Act relative to inheritance taxation.

Senate Bill No. 49, An Act relative to the taxation of personal property on land of another.

Senate Bill No. 56, An Act relative to compensation of the New Hampshire members of the Maine-New Hampshire Interstate Bridge Authority.

Senate Bill No. 71, An Act relating to false reports of crime.

House Bill No. 430, An Act relative to orders of mayors and aldermen or selectmen for muzzling and restraining dogs.

The report was accepted.

### Report of Committee of Conference

The Committee of Conference, to whom was referred Senate Bill No. 17, An Act relative to the salary of the justice of the municipal court of Portsmouth, having considered the same, recommend that the Senate recede from the position of non-concurrence, that the House recede from its position in adopting its amendment and concur with the Senate in the passage of the bill.

HARRY H. FOOTE,  
IRENE W. LANDERS,

*Conferees on the part of the Senate.*

MARY C. DONDERO,  
HENRY S. MURCH, Jr.  
JEREMIAH QUIRK,

*Conferees on the part of the House.*

On motion of Mrs. Dondero of Portsmouth, the House agreed to the report of the Committee of Conference.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 251, An Act relative to protection of illegitimate children.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 364, An Act relating to cropping dogs' ears.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 77, An Act providing that charitable corporations may establish common trust funds.

### Senate Bill Read and Referred

The following Senate bill was introduced, read a first and second time and referred as follows:

Senate Bill No. 77, An Act providing that charitable corporations may establish common trust funds. To the Committee on Executive Departments and Administration.

### Resolutions

Mr. Willey of Campton offered the following resolution:

*Whereas*, Allen Hollis of Concord has passed away, and

*Whereas*, he was a member of the House of Representatives in 1907 and 1909, and

*Whereas*, in addition to many years of practicing law he served in many civic and political positions, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, pay tribute to his services to his city and state, and extend our deep sympathy to the family in its bereavement, and be it further

*Resolved*, that the Clerk of the House transmit a copy of these resolutions to Mr. Hollis' son, Franklin Hollis.

On a *viva voce* vote the resolution was adopted.

### Qualified

Mr. Frederick C. Pearson, Jr., of Dover having qualified before His Excellency, the Governor, appeared during the session of Wednesday, April 20, and took his seat as a member of the House.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 58, An Act providing for the classification of certain surface waters in Cheshire county.

House Bill No. 473, An Act relative to erection of so-called historical signs.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 65, An Act relative to retirement system for firemen.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Perry of Jaffrey at 2:42 o'clock the House adjourned.

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TUESDAY, MAY 3, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

### Prayer of St. Francis

O Lord, our Christ, may we have Thy mind and Thy spirit; make us instruments of Thy peace; where there is hatred, let us sow love; where there is injury, pardon; where there is discord, union; where there is doubt, faith; where there is despair, hope; where there is darkness, light; and where there is sadness, joy.

O Divine Master, grant that we may not so much seek to be consoled as to console; to be understood as to understand;



to be loved as to love; for it is in giving that we receive; it is in pardoning that we are pardoned; and it is in dying that we are born to eternal life. Amen.

### **Salute to the Flag**

Mr. Swain of Barrington led the convention in the salute to the flag.

### **Leaves of Absence**

Mrs. Ramsdell of Nashua was granted leave of absence for the week on account of illness.

Mr. Pinkham of Northwood was granted leave of absence for the day on account of important business.

Mr. Brown of Loudon was granted an indefinite leave of absence on account of illness.

### **Introduction of a Bill**

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Mr. Angus of Claremont), House Bill No. 520, An Act changing the name of Claremont building and loan association to Claremont Cooperative Bank. To the Committee on Executive Departments and Administration.

### **Printing Dispensed With**

On motion of Mr. Angus of Claremont printing of House Bill No. 520, An Act changing the name of Claremont building and loan association to Claremont Cooperative Bank, was dispensed with.

### **Committee Reports**

Mr. Malley of Somersworth, for the Committee on Appropriations, to whom was referred House Bill No. 366, An Act providing for special fund for certain printing by planning and development commission, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the word "ten" in the eighth line and inserting in place thereof the word, five, so that said section as amended shall read as follows:

1. *Planning and Development Commission.* Amend chapter 27 of the Revised Laws (chapter 12, RSA) by inserting after section 43-b, as inserted by section 2, chapter 220, Laws of 1953, the following new section: 43-c. *Special Funds.* The planning and development commission is hereby authorized to publish for general distribution and to sell scientific brochures containing information which the commission deems to be of lasting interest to the general welfare of the state. The sum of five thousand dollars is hereby appropriated for the expenses authorized by this section and the governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated. The sum hereby appropriated shall be a continuing appropriation and shall not lapse but shall be kept in a special fund for the purposes hereof. Any sums realized from the sale of brochures hereunder shall be added to the appropriation hereunder to be expended under the direction of the commission for purposes hereof.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Davis of Hopkinton, for the Committee on Appropriations, to whom was referred House Bill No. 507, An Act relative to mileage allowances for members of the general court who work on non-legislative days, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mrs. Brungot of Berlin moved that the words "inexpedient to legislate" be substituted for the report of the committee, ought to pass.

The question being on the motion.

(Discussion ensued)

Mrs. Brungot of Berlin spoke in favor of the motion.

Messrs. Bell of Plymouth, Scamman of Stratham, Pickett of Keene, and Crandall of Dover spoke against the motion.

Mrs. Brungot of Berlin then withdrew her motion.

The bill was ordered to a third reading.

Mr. Kelley of Littleton, for the Committee on Appropriations, to whom was referred House Bill No. 508, An Act rela-

tive to mileage allowances for legislative officers and employees, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 24, Joint Resolution in favor of Ada T. Lansdowne, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by adding at the end thereof the words, and shall be in full and complete settlement of this claim, so that said joint resolution as amended shall read as follows:

That the sum of one thousand dollars is hereby appropriated to reimburse Ada T. Lansdowne of Meredith for damages sustained by her arising from an accident which occurred on July 27, 1951, on the state highway at Meredith. The sum hereby appropriated shall be a charge upon the highway funds and shall be in full and complete settlement of this claim.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Rowell of Newport, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 33, Joint Resolution in favor of Harry Pierce, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out the words "one thousand nine hundred and twenty-five" in the first line and inserting in place thereof the words, three hundred; further amend by adding after the word "funds" in the fifth line the words, and shall be in full and complete settlement of this claim, so that said joint resolution as amended shall read as follows:

That the sum of three hundred dollars be and hereby is appropriated to reimburse Harry Pierce of Unity for damage

to his maple orchard and other growing timber by elk, during the period from 1952 to 1954. The sum hereby appropriated shall be a charge upon the fish and game funds and shall be in full and complete settlement of this claim.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Rowell of Newport, for the Committee on Appropriations, to whom was referred House Bill No. 209, An Act relating to school superintendents in the state employees' retirement system, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Malley of Somersworth, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 40, Joint Resolution in favor of town of Derry, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Barka of Derry moved that the words "ought to pass" be substituted for the words, inexpedient to legislate.

The question being on the motion.

(Discussion ensued)

Mr. Bisbee of Derry spoke in favor of the motion.

Messrs. Malley of Somersworth and Scamman of Stratham spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Barka of Derry called for a division.

A division being had, 51 members having voted in the affirmative and 211 members having voted in the negative, the motion did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Malley of Somersworth, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 23, Joint Resolution in favor of Augustus Glidden, having consid-

ered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 37, Joint Resolution in favor of Harold A. Todd, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by adding at the end thereof the words, and shall be in full and complete settlement of this claim, so that said joint resolution as amended shall read as follows:

That the sum of five hundred and fifty-seven dollars and thirty cents is hereby appropriated to reimburse Harold A. Todd of New Boston for damages caused to his home by water resulting from culvert restriction made by the department of public works and highways. The sum hereby appropriated shall be a charge against the highway funds and shall be in full and complete settlement of this claim.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mrs. Payette of Portsmouth, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 9, An Act relating to abandoned iceboxes, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following: 1. *Nuisance*. Amend chapter 165 of the Revised Laws by adding after section 36 the following new section: 37. *Negligence*. Any person, having been the owner of a container originally used for refrigeration purposes, who fails to remove the door or lid from said container before discarding it, upon conviction thereof, shall be punished by a fine of not more than fifty dollars, or imprisoned not more than thirty days, or both.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.



Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred Senate Bill No. 19, An Act relative to the trapping of fur-bearing animals in the Androscoggin Valley watershed, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 392, An Act relative to appointment of fish and game director, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Burnham of Alstead moved that the words "ought to pass" be substituted for inexpedient to legislate.

The question being on the motion.

(Discussion ensued)

Messrs Burnham of Alstead and Clement of Rochester spoke in favor of the motion.

Mr. Cummings of Nashua spoke against the motion.

Mr. Brown of Marlow moved that the bill be laid upon the table.

On a *viva voce* vote the motion did not prevail.

The question being on the motion to substitute the words "ought to pass".

On a *viva voce* vote the motion prevailed.

Mr. Rhodes of Walpole called for a division.

A division being had, 231 members having voted in the affirmative, and 49 members having voted in the negative, the motion prevailed.

The bill was then ordered to a third reading.

### Reconsideration

Mr. Spaulding of Hudson moved that the House reconsider its vote whereby the House ordered to a third reading House Bill No. 392, An Act relative to appointment of fish and game director.

On a *viva voce* vote the motion did not prevail.

Mr. Waling of Keene demanded the yeas and nays but subsequently withdrew his demand.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 407, An Act relative to open season for taking partridge, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 437, An Act relative to hunting wild bear, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by inserting after section 2 a new section as follows:

3. *Damage to Livestock.* Amend section 21 of chapter 241 of the Revised Laws, as amended by section 1, chapter 265, Laws of 1947 (section 23, chapter 207, RSA) by inserting after the words "damage to" in the first line thereof the words, livestock or, so that said section as amended shall read as follows: 21. *By Game.* A person who suffers loss or damage to livestock or annual crops or fruit trees, or well-kept natural stands of blueberries maintained on a commercial basis which have been improved by burning and weeding or fertilization in a manner recommended by the New Hampshire Agricultural Experiment Station, by game, shall, if he claims damages therefor, within ten days from the discovery thereof, notify the director in writing of such damage. The director or his agent shall investigate such claim within thirty days from the receipt by him of notice of such damage, determine whether such damage was caused by game, and appraise the amount thereof to be paid. The appraisal shall be made at time of harvest; and the director shall present his certificate of the amount of his appraisal to the governor, who is authorized to draw his warrant upon the fish and game fund in payment therefor.

Amend section 3 of the bill by striking out in the third and fourth lines the words "except by the use of traps"; and

by striking out in the fifth line the words "November fifteenth" and inserting in place thereof the words, December thirty-first, so that said section as amended shall read as follows:

3. *Hunting Time.* Amend chapter 242 of the Revised Laws (chapter 208, RSA) by inserting after section 18 thereof the following new section: 18-a. *Wild Bear; Taking Time.* Wild bear may be hunted and taken from one-half hour before sunrise to one-half hour after sunset in this state from October first to December thirty-first, inclusive. There shall be no limit to the number of bear any person may take, provided such person is properly licensed to hunt.

Further amend the bill by inserting after section 3 the following new sections: 5. *Bear: Buying and Selling.* Notwithstanding the provisions of section 2, chapter 241 of the Revised Laws (section 2, chapter 407, RSA) bear may be bought or sold within this state.

6. *Traps.* Any person owning or having the custody of livestock may, in anticipation of suffering substantial damage thereto, set traps on his own land for bear for the protection of his livestock during either the open or closed season. Said traps shall be set in compliance with and subject to the penalties of section 15 of chapter 244 of the Revised Laws (section 19, chapter 210, RSA).

Further amend the bill by renumbering sections 3 and 4 to read sections 4 and 7.

Reading of the amendment having commenced, on motion of Mr. Converse of Pittsburg, further reading was dispensed with.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 472, An Act relative to membership of the fish and game commission, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 414, An Act changing the spelling of the name of the town of Moultonborough to Moultonboro, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Deans of Milford moved that the bill be recommitted.

On a *viva voce* vote the motion prevailed.

Mr. Evans of Milton, for the Committee on Public Health, to whom was referred House Bill No. 208, An Act to permit welfare medical payments from working capital, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, covered by pending legislation.

The report was accepted and the resolution of the committee adopted.

Mr. Lovejoy of Salisbury, for the Committee on Public Health, to whom was referred House Bill No. 347, An Act relative to the licensing, inspection and regulation of hospitals and related institutions, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Joint Resolution No. 39, Joint Resolution relative to reconstruction of road in the town of Gilmanton, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Pillsbury of Sandown, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 400, An Act relative to state owned parking areas at Hampton Beach, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Phelps of Andover, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 397, An Act to establish a comfort station at North Beach in Hampton, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mrs. Funkhouser of Durham, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 293, An Act providing penalties for throwing refuse on public waters and lands bordering the same, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the word "shall" in the sixth line and inserting in place thereof the word, may, and by striking out the words "a period of one year" in the eighth line and inserting in place thereof the words, the current year, so that said section as amended shall read as follows:

1. *Public Waters.* Amend chapter 247 of the Revised Laws (chapter 214, RSA) by inserting after section 10 the following new section: 10-a. *Penalty.* Any person who shall violate any of the provisions of section 22 of chapter 90 of the Revised Laws, relative to the placing or throwing refuse or rubbish into any public waters or the approaches thereto or land bordering the same may in addition to the penalty provided in said section, lose his fishing or hunting license for the current year.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Funkhouser of Durham, for the Committee on Resources, Recreation and Development, to whom was referred House Joint Resolution No. 6, Joint Resolution providing an appropriation for works of improvement on small watersheds, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.



Amend the joint resolution by inserting after the word "appropriated" in the ninth line the words, The money herein appropriated shall be used only for operating and maintaining such works of improvement in accordance with regulations presented by the United States Secretary of Agriculture, so that said joint resolution as amended shall read as follows:

That there is hereby appropriated for the purpose of assisting in carrying out joint federal-state-local projects for watershed protection and flood prevention in small watersheds under the provisions of chapter 266, Revised Laws, and amendments thereto, and in cooperation with the federal government under the Watershed Protection and Flood Prevention act of the 83rd Congress, the sum of ten thousand dollars for the year ending June 30, 1956, and a like sum for the year ending June 30, 1957, and the governor is hereby authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated. The money herein appropriated shall be used only for operating and maintaining such works of improvement in accordance with regulations presented by the United States Secretary of Agriculture. The sums hereby appropriated shall not lapse but shall be added to the appropriations for the water resources board of any succeeding fiscal year to be used for the purpose herein contained.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Urie of New Hampton spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill referred to the Committee on Appropriations under the rules.

Mr. Nadeau of Somersworth, for the Committee on Ways and Means, to whom was referred House Bill No. 2, An Act relative to tobacco tax on sale of cigarettes, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Lesmerises of Manchester, for the Committee on Ways and Means, to whom was referred House Bill No. 303, An Act

providing for an income tax, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Plumer of Bristol, for the Committee on Ways and Means, to whom was referred House Bill No. 450, An Act relative to non-resident fishing licenses, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### **Taken from the Table**

House Bill No. 462, An Act relating to investments of savings banks.

The question being on the amendment offered by the committee.

Mr. Chase of Dover moved that the bill be recommitted to the Committee on Banks.

On a *viva voce* vote the motion prevailed.

### **Order to Vacate**

Mr. Spaulding of Hudson moved that the order whereby House Bill No. 517, An Act making appropriation and long term repairs for the State of New Hampshire, was referred to the Committee on Appropriations be vacated and the bill be referred to the Committee on Public Works.

The question being on the motion.

(Discussion ensued)

Mr. Spaulding of Hudson spoke in favor of the motion.

Mr. Angus of Claremont spoke against the motion.

On a *viva voce* vote the motion to vacate did not prevail.

Mr. Spaulding of Hudson asked that his remarks be printed in the Journal.

*Whereas* House Bill No. 517, An Act making appropriations for capital improvements and long term repairs for the State of New Hampshire has been referred to the Committee on Appropriations.

*And Whereas* the duty of the Committee on Public Works under Rule 35 of the House includes the considering of "all matters pertaining to public highways, buildings and capital construction."

*Now, Therefore* I, Ned Spaulding, wish to call this matter to the attention of the House, and request that these notations be inserted in the Journal of today, May 3, 1955.

### Special Order

Mr. Pickett of Keene called for the special order for 11:01 o'clock, it being the committee report on House Bill No. 190, An Act relating to discrimination because of race, creed, color, ancestry or national creed. The Committee on Judiciary, to whom was referred House Bill No. 190, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 190, An Act relating to discrimination because of race, creed, color, ancestry or national origin, having considered the same, and being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 3 of said bill by inserting after the word "profit" in the eleventh line the words, Notwithstanding the foregoing provisions of this section, it shall not be an unlawful employment practice for any person, employer, labor organization or employment agency to inquire of an applicant for employment or membership as to whether or not he or she is a veteran or a citizen, so that said section as amended shall read as follows:

3. *Discrimination Prohibited.* The state, its agencies or subdivisions, shall neither engage in such discrimination nor permit any person using public property or facilities or rendering public services to engage therein in connection with such use or services. It shall also be unlawful for any person to engage in such discrimination with respect to application for employment, hiring, tenure, terms or conditions of employment; provided, however, that this provision shall not apply to persons employing less than six persons, or to clubs which are exclusively social, or to fraternal, charitable, educational,

or religious associations or corporations if such clubs, associations or corporations are not organized for private profit. Notwithstanding the foregoing provisions of this section, it shall not be an unlawful employment practice for any person, employer, labor organization or employment agency to inquire of an applicant for employment or membership as to whether or not he or she is a veteran or a citizen. No person being the owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, shall engage in such discrimination by directly or indirectly refusing, withholding from, or denying to any person any of the accommodations, advantages, facilities, privileges of conveniences thereof.

HILDA C. F. BRUNGOT,  
T. CASEY MOHER,  
WILLIAM D. CRAIG, JR.  
DANIEL J. HEALY,  
MARTHA FRIZZELL,  
FRED T. WADLEIGH,  
GEORGE S. PAPPAGIANIS,  
MARY C. DONDERO,  
NORMA M. STUDLEY,

*A Minority of the Committee.*

The reports were accepted.

Mr. Jones of Lebanon spoke in favor of the report of the majority, inexpedient to legislate.

Mrs. Frizzell of Charlestown moved that the minority report be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Mrs. Frizzell of Charlestown spoke in favor of the motion.

Mr. Eldredge of Exeter moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Eldredge of Exeter and Waling of Keene spoke in favor of the motion.

Mr. Pillsbury of Manchester and Mrs. Brungot of Berlin spoke against the motion.

(Mr. Faulkner of Keene in Chair)

Messrs. Holden of Hanover, Gamsby of Sunapee, Clarke of Canaan and Pickett of Keene spoke in favor of the motion.

Mesdames Dondero of Portsmouth and Studley of Rochester, and Messrs. Healy of Manchester and Wadleigh of Milford spoke against the motion.

(Speaker in Chair)

Mrs. Atkins of Hanover and Messrs. Gay of New London, Faulkner of Keene and Rathbone of Exeter spoke in favor of the motion.

Mesdames Funkhouser of Durham and Millar of Claremont and Messrs. Comi of Concord, Payeur of Pembroke and Moher of Dover spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Craig of Manchester demanded the yeas and nays and the roll was called with the following result:

#### Yeas—210

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Farwell, Herrick, Jones of Francestown, Jennings, Poore, Reed, Hadley, Goodwin, Abbott, Spaulding, Lang of Manchester, Pettigrew, Danforth, Robb, Lavoie, Lareau, Martel, Soucy of Manchester, Ward 12, Vaillancourt, Dion of Manchester, Peaslee of Merrimack, Deans, Falconer, Peterson, Saunders, Brosnahan, Dionne of Nashua, Grandmaison, Langelier, Locke, Dutton, Rice, Willard, Bardol.

CHESHIRE COUNTY: Burnham, Pike, Smith of Hinsdale, Perry, Spofford, Kirk, McCullough, Wheeler, Bennett, Brown of Keene, Coddington, Faulkner, Pickett, Waling, Carlton, Brown of Marlow, Sherwin, Terrill, Lane, Lang of Troy, Ballam, Rhodes, Ingham, Thompson.

SULLIVAN COUNTY: Bissonett, Stone, Davis of Cornish, Nelson of Goshen, Reney, Bailey, Rowell, Vaughan of Newport, Pierce, Gamsby.

GRAFTON COUNTY: Pryor, Stevenson, Plumer, Willey, Clarke of Canaan, Atkins, Bradley, Holden, Larty, Chamberlain of Holderness, Adams, Cole, Jones of Lebanon, Townsend,



Collyer, Gardner of Littleton, Kelley, Martin, Frazer, Talbot, Carr, Bell, Huckins, Sawyer.

COOS COUNTY: Christiansen, Fontaine, Gagnon, Alls, Hurlbert, Bishop, Ferguson, Cornelius, Annis, Converse, Baker, Stinson, Taylor.

ROCKINGHAM COUNTY: Dudley, Tenney, Shattuck, Fogg, Barka, Bisbee, Nickerson of East Kingston, Eastman of Exeter, Eldredge, Merrill, Rathbone, Jones of Fremont, Weeks of Greenland, Spollett, Hunter, Tobey, Thurlow, Parmenter, Cheney, Carter, Palmer, Barrett, Murch, Travis, Wardwell. Munz, Mafera, Philbrick, Haigh, Willis (Anna), Willis (Howard), Pillsbury of Sandown, Felch, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Felker, Webb, Connell, Pearson, Chadbourn, Rolfe, Estes, Green, Brown of Strafford.

BELKNAP COUNTY: Skinner, Boutin, Robertson, Hart, Rogers, Morin, Simoneau, Tilton, Karagianis, Burbank, Dana, Varrell, Miner, Smith of Meredith, Urie, Atwood.

CARROLL COUNTY: Chandler, Downs, Roberts, Stokes, Nickerson of Madison, Lamprey, Hayden, Remick, Hodgdon, Weeks of Wolfeboro.

MERRIMACK COUNTY: Phelps, Vaughn of Bow, Vogel, Dowd, Ferrin, Davis of Concord, Henry, Colbath, Shea of Concord, Lessels, Nelson of Concord, Jewett, Cilley, McKee, Mahoney of Concord, Anderson, Nutter, Broadhurst, Burke, Charland, Mason, Mulaire, Davis of Hopkinton, Milligan, Gay of New London, Ayer of Pittsfield, Young, Lovejoy, Bigelow, Workman.

### Nays—93

HILLSBOROUGH COUNTY: Fortin, Soucy of Manchester, Ward 1, Mahony of Manchester, Pillsbury of Manchester, Dwyer, Hayes, Horan, Sullivan, Fitzgerald, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Casey, Ecker, Healy of Manchester, Ward 6, Slowey, Corey, Tessier, Craig, Morris, Auger, Bergeron, Schricker, Hurley, Gauthier, Gamache, Wadleigh, Cummings, Belcourt, Maynard, Pappagianis, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Bouthillier, Dumais, Eastman of Weare.

CHESHIRE COUNTY: Haley, Billings.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Bloomfield, Firestone, Millar, DeLude.

GRAFTON COUNTY: Sanborn, Barney.

COOS COUNTY: Fortier, Brungot, Rines, Bushey, Phelan.

ROCKINGHAM COUNTY: Clarke of Derry, Blair, Dondero, Payette, Sadler, Quirk, Joyce.

STRAFFORD COUNTY: Chase, Hennessey, Moher, Karkavelas, Crandall, Flanagan, Funkhouser, Littlehale, Wentworth, Evans, St. Pierre, Studley, Clement of Rochester, Maloomian, Letourneau, Cormier, Malley.

BELKNAP COUNTY: Gardner of Gilford, Ballentine.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Baron, Ellsworth, Stevens, Corbett, Rainie, Walker, Comi, Dempsey, Carpenter, Wilman, Payeur.

### Pairs

Mr. Black of Bennington voting Yes, paired with Mr. Hambleton of Goffstown voting No.

Mr. Callahan of Manchester voting No, paired with Mr. Gelinas of Manchester voting Yes.

Mr. Clancy of Manchester voting No, paired with Mr. Lafond of Manchester voting Yes.

Mr. Buckley of Mont Vernon voting Yes, paired with Mr. Bouvier of Swanzey voting No.

Mr. Ramsey of Alexandria voting Yes, paired with Mr. Kenney of Franklin voting No.

Mrs. Hayward of Hanover voting Yes, paired with Mrs. Dustin of Rochester voting No.

Mr. Battles of Kingston voting Yes, paired with Mr. Ford of Wolfeboro voting No.

Mr. Labranche of Newmarket voting Yes, paired with Mr. Desjardins of Dover voting No.

And the motion to indefinitely postpone prevailed.

### Report of Committee on Engrossed Bills

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate and House bills:

Senate Bill No. 65, An Act relative to retirement system for firemen.

House Bill No. 102, An Act relative to securing certain loads on motor trucks and trailers.

House Bill No. 201, An Act relative to the fees of medical referees.

House Bill No. 276, An Act to regulate the practice of professional engineering.

House Bill No. 332, An Act relative to the payment of poll and head taxes.

House Bill No. 334, An Act relative to the observance of the memory of General Lafayette.

House Bill No. 342, An Act relative to the pay of the national guard.

House Bill No. 353, An Act relating to extended coverage in policies of liability insurance.

House Bill No. 364, An Act relating to cropping dogs' ears.  
The report was accepted.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 404, An Act relative to real estate investments and loans of building and loan associations, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1. *Real Estate Investments.* Amend paragraph II, section 20, chapter 314, Revised Laws as amended by section 7, chapter 24, Laws of 1947 (paragraph II, section 24, chapter 393, RSA) by inserting at the

On motion of Mr. McKee of Concord the House voted to adopt the amendment as proposed by the Committee on Engrossed Bills.

The bill was sent to the Senate for concurrence.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 201, An Act relative to the fees of medical referees.

House Bill No. 332, An Act relative to the payment of poll and head taxes.

House Bill No. 334, An Act relative to the observance of the memory of General Lafayette.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on Senate Bill No. 17, An Act relative to the salary of the justice of the municipal court of Portsmouth.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 17, An Act relative to the salaries for Grafton county commissioners.

House Bill No. 247, An Act relative to the salary of the sheriff of Grafton county.

House Bill No. 298, An Act relative to the salaries of the Strafford county commissioners.

House Bill No. 306, An Act relative to the salary of the Strafford county solicitor.

House Bill No. 315, An Act relative to the salaries of Coos and Cheshire county solicitors.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 475, An Act relative to salaries of various Belknap county officials.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to salaries of various county officials of Belknap, Strafford, Cheshire, Grafton and Coos counties.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *County Sheriffs.* Amend section 27, chapter 380 of the Revised Laws, as amended by chapter 195, Laws of 1943, chapter 189, Laws of 1945, section 2, chapter 2, Laws of 1947, section 3, chapter 202, Laws of 1947, section 1, chapter 256, Laws of 1947, chapter 291, Laws of 1947, chapter 235, Laws of 1953 (section 29, chapter 104, RSA) by striking out said section and inserting in place thereof the following: 27. *Salaries.* The annual salaries of the sheriffs of the several counties shall be as follows:

In Rockingham, fifteen hundred dollars.

In Strafford, one thousand dollars.

In Belknap, fifteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, two thousand four hundred dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, eight hundred dollars.

In Grafton, eighteen hundred dollars.

In Coos, eighteen hundred dollars.

The salary of the sheriff of Grafton county shall be paid monthly.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *County Solicitors.* Amend section 20 of chapter 24 of the Revised Laws as amended by chapters 40 and 136, Laws of 1943, by chapters 2, 27, 202, 213, 242, 263, 268 and 270 of the Laws of 1947, chapter 183, Laws of 1949, and by chapters 108, 122 and 179 of the Laws of 1953 (section 35, chapter 7, RSA) by striking out said section and inserting in place thereof the following: 20. *Salaries.* The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, twenty-two hundred dollars.

In Strafford, two thousand dollars.

In Belknap, eighteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.



In Hillsborough, thirty-three hundred dollars.

In Cheshire, two thousand dollars.

In Sullivan, fifteen hundred dollars.

In Grafton, twenty-four hundred dollars.

In Coos, twenty-four hundred dollars.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *County Treasurer.* Amend section 13, chapter 48, Revised Laws, as amended by chapter 66, Laws of 1945, chapter 257, Laws of 1947, chapter 179, Laws of 1953 (section 14, chapter 29, RSA) by striking out said section and inserting in place thereof the following: 13. *Salaries.* The annual salaries of the treasurers of the several counties to be in full for their services and allowances of every kind, except as hereinafter provided, shall be as follows:

In Rockingham, eight hundred dollars.

In Strafford, five hundred dollars.

In Belknap, five hundred dollars.

In Carroll, five hundred dollars.

In Merrimack, six hundred dollars.

In Hillsborough, twelve hundred dollars.

In Cheshire, four hundred dollars.

In Sullivan, four hundred dollars.

In Grafton, five hundred dollars.

In Coos, four hundred dollars.

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4. *County Commissioners.* Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, by chapters 66 and 163 of the Laws of 1945, by chapters 202 and 284 of the Laws of 1947, by chapters 73 and 162 of the Laws of 1949 and by chapters 149 and 233 of the Laws of 1951, chapters 90 and 123, Laws of 1953 (section 28, chapter 28, RSA) by striking out said section and inserting in place thereof the following: 27. *Commissioners.* The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, eighteen hundred dollars.  
In Strafford, fifteen hundred dollars.  
In Belknap, fifteen hundred dollars.  
In Merrimack, fifteen hundred dollars.  
In Hillsborough, thirty-five hundred dollars.  
In Cheshire, fifteen hundred dollars.  
In Sullivan, twelve hundred dollars.  
In Grafton, eighteen hundred dollars.  
In Coos, fifteen hundred dollars.

In Carroll county each commissioner, when employed in the business of the county, shall receive ten dollars a day, payable as hereinbefore provided. To the foregoing sums shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

Reading of the amendment having commenced on motion of Mr. Chase of Dover, the rules were suspended and further reading dispensed with.

Mr. Chase of Dover moved that the House non-concur in the amendments sent down from the Honorable Senate, and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House, Messrs. Vogel of Canterbury, Roberts of Conway and Chase of Dover.

House Bill No. 254, An Act relative to a report of birth.

Amend said bill by inserting after section 1 the following new section: 2. *Illegitimate Children*. Amend section 4-a of chapter 337 of the Revised Laws as inserted by section 1 of chapter 194 of the Laws of 1949 by striking out said section and inserting in place thereof the following: 4-a. *Prohibition*. In the case of an illegitimate child or a child born out of wedlock, no certificate of birth for such child shall contain any specific statement or reference to illegitimacy of the child, or that the child was born in or out of wedlock, or to the marital status of the parents. The name of the putative father of an illegitimate child or of a child born out of wedlock shall not be entered in or upon the birth certificate of such child without the written consent of both the mother and the putative father, or unless the paternity of the child has been adjudicated. The written consent shall be deposited with the clerk of the town in which the

birth occurs and shall be filed and cross referenced with the original certificate. When, from information appearing upon a birth certificate, it is discernible that the record is that of an illegitimate child or a child born out of wedlock, the clerk receiving the original record shall not transmit a copy of such a record to the city or town within which the parents reside nor shall he publish a report of such birth in any town or county report.

Further amend the bill by re-numbering section 2 to read section 3.

On motion of Mr. Pillsbury of Sandown, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 135, An Act relating to the taxation of house trailers.

Amend section 1 of House Bill No. 135 by adding after the word section in line 14 and before the semicolon the words and, satisfactory evidence that such tax has been paid is produced, so that the same as amended shall read as follows:

1. *Taxation.* Amend chapter 73 of the Revised Laws (chapter 298, R S A) by inserting after section 22 the following new section. 22-a. *House Trailers.* Any house trailer used as a dwelling by a resident of this state shall be taxed as personal property in the town where it is and so used on April first, or in any town in which it is, or into which it is brought, and so used after April first and before December thirty-first of any year, if it has not been taxed hereunder in such town or elsewhere in the state for that year. Notwithstanding the provisions of section 16 of chapter 73, a municipal permit for registration shall not be required as a condition to the registration of any house trailer which in the current tax year has been taxed under this section and, satisfactory evidence that such tax has been paid is produced; and if a permit fee shall have been paid in such year prior to the assessment of a tax hereunder, an amount equal to such fee shall be allowed as a credit against such tax, regardless of the town in which said fee was paid. For the purposes hereof, a person shall be deemed a resident of this state if he have a home here for a period of ninety days or

more during the tax year, or for a lesser time if he has no home elsewhere. A house trailer shall be deemed to be used as a dwelling if it be the sole or principal abode in this state, of a resident. The term tax year shall mean the period April first through March thirty-first, inclusive.

Amend section 2 of House Bill No. 135 by striking out the whole thereof and inserting in place thereof the following.

2. *Takes Effect.* This act shall take effect as of June 1, 1955.

On motion of Mr. Carter of North Hampton, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

### Resolutions

Mr. Rice of Peterborough offered the following resolution:

*Whereas*, Charles Thomas, Representative from Dublin, is ill in the hospital, and

*Whereas*, His illness has taken him away from his devoted services in the interest of the State of New Hampshire, therefore be it

*Resolved*, That we extend to our fellow member our deep sympathy in his illness and our best wishes for a speedy recovery to health and his return to the Legislature.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

### Afternoon

The House was immediately called to order in the afternoon session.

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow third readings of bills by titles only, and when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 9, An Act relating to abandoned iceboxes.

House Bill No. 209, An Act relating to school superintendents in the state employees' retirement system.

House Bill No. 293, An Act providing penalties for throwing refuse on public waters and lands bordering the same.

House Bill No. 366, An Act providing for special fund for certain printing by planning and development commission.

House Bill No. 392, An Act relative to appointment of fish and game director.

House Bill No. 400, An Act relative to state owned parking areas at Hampton Beach.

House Bill No. 437, An Act relative to hunting wild bear.

House Bill No. 450, An Act relative to non-resident fishing licenses.

House Bill No. 507, An Act relative to mileage allowances for members of the general court who work on non-legislative days.

House Bill No. 508, An Act relative to mileage allowances for legislative officers and employees.

House Joint Resolution No. 23, Joint Resolution in favor of Augustus Glidden.

House Joint Resolution No. 24, Joint Resolution in favor of Ada T. Lansdowne.

House Joint Resolution No. 33, Joint Resolution in favor of Harry Pierce.

House Joint Resolution No. 37, Joint Resolution in favor of Harold A. Todd.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 19, An Act relative to the trapping of fur-bearing animals in the Androscoggin Valley watershed.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. DeLude of Unity at 4:17 o'clock the House adjourned.

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WEDNESDAY, MAY 4, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Gracious Father, since it is of Thy mercy that another day is added unto our lives; help us to here dedicate both our souls and bodies to Thee and Thy service, in a sober, righteous and



godly life; in which resolution, do Thou O merciful God, confirm and strengthen us, and particularly for the tasks of the present day. Keep us temperate in all things, and diligent in our varied activities in this legislative body. Give us grace to be just and upright in our relationship with one another; but while we care for what will be pleasing to others and aid us to live and walk in harmony with them, may we never forget, our God, to above all else, strive more for what will please Thee. Through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mr. Pillsbury of Manchester led the convention in the salute to the flag.

### Leaves of Absence

Mr. Craig of Manchester and Mr. Anderson of Concord were granted leaves of absence for the day on account of important business.

Mr. Latour of Hudson was granted leave of absence for the week on account of illness.

### Introduction of Bills

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Miss Spollett of Hampstead), House Bill No. 521, An Act relative to the appointment of the members of the taxation commission. To the Committee on Judiciary.

By the Committee on Rules (Mr. Lavoie of Manchester), House Bill No. 522, An Act relative to solicitation and collection of funds for charitable purposes. To the Committee on Executive Departments and Administration.

By the Committee on Rules (Mr. Scamman of Stratham), House Joint Resolution No. 52, Joint Resolution relative to purchase of boat for the fish and game department. To the Committee on Fish and Game.

### Committee Reports

Mr. Ford of Wolfeboro, for the Committee on Education, to whom was referred House Bill No. 142, An Act relative to

employment, suspension and dismissal of teachers, having considered the same, reported the same in new draft, with the recommendation that the bill in its new draft be recommitted to the Committee on Education.

The report was accepted.

The bill in its new draft was read a first and second time, laid upon the table to be printed, and recommitted to the Committee on Education.

Mr. Lavoie of Manchester, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 13, An Act relative to mileage for members of the legislature, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the word "ten" in the eighth line and inserting in place thereof the word, fifteen, so that said section as amended shall read as follows: 1. *General Court*. Amend section 15 of chapter 9, Revised Laws, as amended by chapter 14, Laws of 1943, section 1, chapter 117, Laws of 1949, and by section 3, chapter 251, Laws of 1951, (section 15, chapter 14, R S A) by striking out said section and inserting in place thereof the following: 15. *Travel*. A member of the general court shall be allowed for mileage per mile of the round trip to and from his residence each day of attendance at the following rates, for the first forty-five miles thereof fifteen cents per mile, for the next twenty-five miles eight cents per mile, for the next twenty-five miles six cents per mile, and for all miles in excess of ninety-five miles five cents per mile. In case said round trip is less than one mile, the mileage allowance shall be computed on the basis of one mile. Each member of the house of representatives shall present evidence of his attendance by signing in person the roll provided for that purpose and by complying with such other regulations with respect thereto as the house may from time to time adopt. Any member of the general court absent for any cause from such attendance shall not be allowed mileage for the day he is so absent.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Messrs. Perley of Lebanon, Crandall of Dover, Lavoie of Manchester, Clarke of Canaan and Mrs. Brungot of Berlin spoke in favor of the amendment.

Messrs. Rainie of Concord, Waling of Keene and Malley of Somersworth spoke against the amendment.

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Rainie of Concord called for a division.

A division being had, 228 members having voted in the affirmative and 103 members having voted in the negative, the amendment was adopted, and the bill referred to the Committee on Appropriations under the rules.

Mrs. Millar of Claremont demanded the yeas and nays but subsequently withdrew her demand.

### Order Vacated

Mr. Spaulding of Hudson moved that the order whereby House Bill No. 13, An Act relative to mileage for members of the legislature, was referred to the Committee on Appropriations, be vacated and the bill be put upon its third reading and final passage, by title only, at the present time.

The question being on the motion.

On a *viva voce* vote the Chair was in doubt.

Mr. Pillsbury of Manchester called for a division.

Mr. Cilley of Concord demanded the yeas and nays and the roll was called with the following result:

### Yeas—200

MERRIMACK COUNTY: Baron, Ellsworth, Vogel, Dowd, Ferrin, Hancock, Lessels, Corbett, Mahoney of Concord, Nutter, Burke, Kenney, Charland, Dempsey, Mason, Milligan, Thibeault of Pembroke.

HILLSBOROUGH COUNTY: Jones of Francestown, Fortin, Spaulding, Burgess, Pettigrew, Danforth, Pillsbury of Manchester, Robb, Dwyer, Hayes, Horan, Fitzgerald, Kean, Nolan, Betley, Walsh, Callahan, Clancy, Ecker, Healy of Manchester, Ward 6, Slowey, Tessier, Delisle, Lavoie, Constant, Morris, Auger, Bergeron, Schricker, Alexander, Hurley,

Lareau, Martel, Soucy of Manchester, Ward 12, Vaillancourt, Dion of Manchester, Gelinas, Lafond, Lesmerises, Cannon, Donnelly, Gamache, Peaslee of Merrimack, Boire, Trombley, Ayers of Nashua, Brosnahan, Maynard, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Langelier, Bouthillier, Dumais, Dutton, Eastman of Weare.

CHESHIRE COUNTY: Burnham, Spofford, Haley, Kirk Bennett, Brown of Keene, Pickett, Sherwin, Terrill, Bouvier, Lang of Troy, Ballam.

SULLIVAN COUNTY: Bissonett, Marcotte, Roe, Gamsby.

GRAFTON COUNTY: Ramsey, Pryor, Stevenson, Willey, Clarke of Canaan, Bradley, Larty, Chamberlain of Holderness, Ashley, Jones of Lebanon, Perley, Collyer, Gardner of Littleton, Carr, Huckins, Sawyer.

COOS COUNTY: Dussault, Fortier, Roy, Russell, Brungot, Christiansen, Bouchard, Fontaine, Gagnon, Rines, Alls, Hurlbert, Ross Ferguson, Cornelius, Potter, Annis, Bushey, Converse, Phelan, Baker, Stinson.

ROCKINGHAM COUNTY: Dudley, Persson, Fogg, Clarke of Derry, Nickerson of East Kingston, Eldredge, Rathbone, Jones of Fremont, Battles, McCaffery, Labranche, Sewall, Cheney, Pinkham, Barrett, Dondero, Hundley, Payette, Murch, Quirk, Travis, Leary, Joyce, Wardwell, Ingraham, Mafera, Haigh; Willis, Anna; Felch, Robinson of South Hampton.

STRAFFORD COUNTY: Chase, Moher, Desjardins, Felker, Webb, Connell, Crandall, Flanagan, Littlehale, Stearns, Mros, Wentworth, Evans, Nadeau, Lacasse, St. Pierre, Maloomian, Letourneau, Cormier, Brown of Strafford.

BELKNAP COUNTY: McAllister, Boutin, Gardner of Gifford, Morin, Simoneau, Karagianis, Burbank, O'Shan, Dana, Metcalf.

CARROLL COUNTY: Chandler, Benson, Downs, Roberts, Stokes, Nickerson of Madison, Hayden, Hodge, Weeks of Wolfeboro.

### Nays—145

MERRIMACK COUNTY: Phelps, Vaughn of Bow, Stevens, Davis of Concord, Henry, Colbath, Shea of Concord, Nelson of Concord, Jewett, Rainie, Cilley, Maxham, McKee, Walker,

Comi, Broadhurst, Carpenter, Mulaire, Davis of Hopkinton, Gay of New London, Ayer of Pittsfield, Young, Lovejoy, Bigelow, Bean, Workman.

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Black, Farwell, Herrick, Hambleton, Jennings, Poore, Reed, Hadley, Goodwin, Abbott, Lang of Manchester, Soucy of Manchester, Ward 1, Healy of Manchester, Ward 5, Smith of Manchester, Corey, Boisvert, Deans, Falconer, Wadleigh, Buckley, Cummings, Peterson, Saunders, Belcourt, Pappagianis, Locke, Willard, Bardol.

CHESHIRE COUNTY: Pike, Smith of Hinsdale, Perry, McCullough, Wheeler, Coddington, Faulkner, Waling, Carlton, Brown of Marlow, Lane, Rhodes, Billings, Ingham, Thompson.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Bloomfield, Millar, Davis of Cornish, Nelson of Goshen, Reney, Bailey, Rowell, Vaughan of Newport.

GRAFTON COUNTY: Plumer, Sanborn, Atkins, Holden, Adams, Cole, Townsend, Kelley, Martin, Frazer, Talbot, Bell, Barney.

COOS COUNTY: Bishop, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Tenney, Shattuck, Barka, Bisbee, Blair, Eastman of Exeter, Merrill, Weeks of Greenland, Spollett, Hunter, Tobey, Thurlow, Parmenter, Carter, Palmer, Munz, Philbrick; Willis, Howard; Pillsbury of Sandown, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Pearson, Funkhouser, Nute, Chadbourn, Dustin, Studley, Green, Beamis, Malley.

BELKNAP COUNTY: Skinner, Robertson, Hart, Rogers, Tilton, Ballentine, Miner, Smith of Meredith, Urie, Atwood.

CARROLL COUNTY: Lamprey, Remick, Hodgdon, Ford.

And less than two-thirds of the members having voted in the affirmative, the motion to suspend the rules did not prevail, and the bill was referred to the Committee on Appropriations under the rules.

### Introduction of Guest

The Speaker introduced former U. S. Senator Owen Brewster of Maine, who addressed the House briefly.



### Committee Reports

Mr. Willey of Campton, to whom was referred House Bill No. 461, An Act providing for the registration of electricians, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Gardner of Littleton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 501, An Act authorizing the town of Hudson to fund or refund certain indebtedness, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Carr of Orford, for the Committee on Insurance, to whom was referred House Bill No. 421, An Act providing for taxation of fraternal and non-profit insurance organizations, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Chandler of Bartlett, for the Committee on Insurance, to whom was referred House Bill No. 438, An Act relating to group life insurance for share holders in credit unions, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Craig of Manchester, for the Committee on Judiciary, to whom was referred Senate Bill No. 35, An Act to provide for the publication and distribution of the Revised Statutes Annotated of the State of New Hampshire, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations under the rules.

Mrs. Frizzell of Charlestown, for the Committee on Judiciary, to whom was referred House Bill No. 381, An Act providing for the establishment of salaries of the sheriffs of the several counties by the superior court, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rathbone of Exeter, for the Committee on Judiciary, to whom was referred House Bill No. 408, An Act relating to duties of support and to make uniform the law with reference thereto, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Holmes of Amherst, for the Committee on Judiciary, to whom was referred House Bill No. 415, An Act relative to neglect of husband or father to support wife and children and neglect of mother, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Chase of Dover, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 426, An Act providing for a veterans' memorial to be erected at The Weirs, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act providing a special commission to study the problem of a veterans' memorial to be erected at The Weirs.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Special Commission.* There is hereby created a special commission of seven members appointed as follows to study the feasibility of the erection of a building at The Weirs as a memorial to all veterans of all wars in which the United States has been engaged. Said commission shall also study the

question of a proper location for said memorial building, if one is to be built, and the probable expense of the same. Said commission shall report to the session of 1957 of the general court the results of its study hereunder. The commission shall be appointed as follows: Three members to be appointed by the Speaker of the House of Representatives from the membership of the House, two members appointed by the President of the Senate from the membership of the Senate, and two members appointed by the Governor from persons who are not members of the legislature.

2. *Compensation: Appropriation.* The members of the special commission created hereunder shall serve without compensation but may be reimbursed for necessary traveling and other incidental expenses within the limits of the appropriations provided hereunder. There is hereby appropriated the sum of five hundred dollars to be expended for the expenses of said commission. The sum hereby appropriated shall be a charge on the general funds of the state.

3. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Chase of Dover, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 449, An Act relative to insertion of names of veterans on checklists, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Checklists.* Amend section 16 of chapter 32 of the Revised Laws, as amended by section 5, chapter 81, Laws of 1943 (section 18, chapter 55 R S A) by striking out said section and inserting in place thereof the following: 16. *Conclusiveness of List.* All persons whose names are entered upon the checklist as thus corrected shall be deemed to be legal voters in the town; and no person whose name is not upon the list shall be allowed to vote, unless it clearly appears that the name of said person has been omitted from said list by clerical error or mistake, or where the person is a veteran or a serviceman on leave

who by reason of such service was not in the town or city of his legal residence at the time of the last session of the supervisors, and then only by vote of the majority of the board.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

### Reconsideration

On motion of Mr. Scamman of Stratham the House voted to reconsider its vote whereby it ordered to a third reading House Bill No. 426.

House Bill No. 426, An Act providing a special commission to study the problem of a memorial to be erected at The Weirs, was referred to the Committee on Appropriations under the rules.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Joint Resolution No. 49, Joint Resolution relative to a road in Fitzwilliam, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. McCullough of Keene moved that action on House Joint Resolution No. 49 be made a special order of business for Wednesday, May 11 at 11:01 o'clock.

On a *viva voce* vote the motion prevailed.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Joint Resolution No. 50, Joint Resolution relative to reconstruction of Brook road in the town of Lisbon, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Miss Collyer of Lisbon moved that the words "ought to pass" be substituted for the words, inexpedient to legislate, but subsequently withdrew her motion.

Miss Collyer of Lisbon moved that action on House Joint Resolution No. 50, be made a special order of business for Wednesday, May 11 at 11:02 o'clock.

On a *viva voce* vote the motion prevailed.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred House Bill No. 396, An Act relative to the use of flashing red lights or red beacons on motor vehicles, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Emergency Motor Vehicles.* Amend section 20 of chapter 119 of the Revised Laws, by inserting after the word "siren" in the second and sixth lines the words, or flashing red light, so that said section as amended shall read as follows: 20. *Emergency Vehicles.* A person operating an emergency vehicle, as defined in section 6, shall not use the siren or flashing red light except when such vehicle is being operated in response to an emergency call, or in immediate pursuit of an actual or suspected violator of the law. An operator of a motor vehicle being operated on the ways of this state upon the approach of an emergency motor vehicle with its siren or flashing red light in operation shall turn immediately as far as possible toward the right-hand side of the way and shall bring his vehicle to a standstill until such emergency vehicle has passed.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred House Bill No. 466, An Act relating to transportation of school children and operators of school buses, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 by striking out said section and inserting in place thereof the following: 1. *Commissioner of Motor Vehicles.* Amend section 14-a of chapter 119 of the Revised Laws, as inserted by chapter 90 of the Laws of 1945, and as amended by section 4, chapter 114, Laws of 1949 (section 28, chapter 263, RSA) by striking out said section and inserting in place thereof the following: 14-a. *Operator of School Bus.* The owner of any motor vehicle transporting ten or more school children to and from any public school or



private educational institution shall submit to the authorities in the town or city which pays for said transportation a list of the names of the persons who are to operate the buses to be used in such transportation. Such authority shall make an investigation as to the motor vehicle operator's record, character and responsibility of each such person and if it finds him qualified to bear the responsibility of the transportation of such children shall so certify, and shall notify the motor vehicle commissioner of said certification. Upon receipt of such certification the motor vehicle commissioner shall cause said operator to be examined as to his qualifications as an operator of school buses and said commissioner may make special rules and regulations for such examination. No person shall operate a motor vehicle transporting ten or more school children to or from any such school unless he has satisfactorily passed a special examination for said operation and received from the commissioner a special certificate therefor. The commissioner may revoke such special certificate for good cause shown.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

#### **Taken from the Table**

House Bill No. 81, An Act relative to penalties for certain motor vehicle violations.

Question being on the amendment found in the Journal of April 26.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

#### **Report of Committee on Engrossed Bills**

Mrs. Hundley of Portsmouth, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bill:

House Bill No. 519, An Act relative to the practice of dentistry.

The report was accepted.

#### **Senate Message**

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 519, An Act relative to the practice of dentistry.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 37, An Act relating to hawkers and peddlers.

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1. *Local Licenses of Hawkers and Peddlers.* Amend section 4 of chapter 188 of the Revised Laws (section 4, chapter 320, RSA) by striking out said section and inserting in place

On motion of Mr. Brosnahan of Nashua, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 237, An Act relative to the unemployment compensation law.

Amend said bill as follows:

Section 1—Insert after the second line the following:  
(paragraph (1) subsection G, section 1, chapter 282, RSA)

Section 2—Insert after the fourth line the following:  
(paragraph (4) subsection H, section 1, chapter 282, RSA)

Section 3—Insert after the fourth line the following:  
(subsection I, section 1, chapter 282, RSA)

Section 4—Insert after the figure "1951" the following:  
(subsection K, section 1, chapter 282, RSA)

Section 5—Insert after the figure "1947" the following:  
(paragraph (3) of subsection M, section 1, chapter 282, RSA)

Section 6—Insert after the third line the following:  
(paragraph (1) subsection O, section 1, chapter 282, RSA)

Section 7—Insert after the figure "1953" the following:  
(new subsection G to section 2, chapter 282, RSA)

Section 8—Insert after the figure "1951" the following:  
(section 3, chapter 282, RSA)

Section 9—Insert after the figure "1953" the following:  
(section 4, chapter 282, RSA)

Section 10—Insert after the figure “1951” the following:  
(subsection B of section 5, chapter 282, RSA)

Section 11—Insert after the figure “1949” the following:  
(subsection G of section 5, chapter 282, RSA)

Section 12—Insert after the figure “1953” the following:  
(subsection C, section 6, chapter 282, RSA)

Section 13—Insert after the figure “1953” the following:  
(subsection D, section 6, chapter 282, RSA)

Section 14—Insert after the figure “1951” the following:  
(subsection E, section 6 chapter 282, RSA)

Section 15—Insert after the figure “1949” the following:  
(subsection M, of section 9 of chapter 282, RSA)

Section 16—Insert after the figure “1949” the following:  
(subsection C, section 10, chapter 282, RSA)

Section 17—Insert after the figure “1953” the following:  
(section 12, chapter 282, RSA)

Section 18—Insert after the figure “1953” the following:  
(subsection H of section 11, chapter 282, RSA)

Section 19—Insert after the figure “1953” the following:  
(section 11, chapter 282, RSA)

Section 20—Insert after the figure “1953” the following:  
(section 14, chapter 282, RSA)

Section 21—Insert after the figure “218” the following:  
(section 9, chapter 282, RSA)

On motion of Mr. Angus of Claremont reading of the amendment was dispensed with.

On motion of Mr. Angus of Claremont, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 76, An Act relative to assessment of damages and basis of liability for change of grade in construction or maintenance of highways in towns.

### Senate Bill Read and Referred

Senate Bill No. 76, An Act relative to assessment of damages and basis of liability for change of grade in construction or maintenance of highways in towns.

Read a first and second time and referred to the Committee on Public Works.

### Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 16, An Act to promote safety on the highways by regulating access from state highways to drive-in theatres, having considered the same, recommend that the House recede from its position of non-concurrence in the amendments to said bill sent down from the Senate and concur in said amendments; and that the Senate and House concur in the adoption of the following amendment to said bill:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act to promote highway safety by regulating access from state highways to drive-in theatres and roadside advertising near intersections.

HELEN C. FUNKHOUSER,  
ROY V. SWAIN,  
JAMES P. ROGERS,

*Conferees on the part of the House.*

NORMAN A. PACKARD,  
HARRY H. FOOTE,

*Conferees on the part of the Senate.*

On motion of Mrs. Funkhouser of Durham, the House agreed to the report of the Committee of Conference.

On motion of Mrs. Hayden of Ossipee, the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by their titles only, and when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Bill No. 81, An Act relative to penalties for certain motor vehicle violations.

House Bill No. 396, An Act relative to the use of flashing red lights or red beacons on motor vehicles.

House Bill No. 408, An Act relating to duties of support and to make uniform the law with reference thereto.

House Bill No. 415, An Act relative to neglect of husband or father to support wife and children and neglect of mother.

House Bill No. 438, An Act relating to Group Life Insurance for share holders in Credit Unions.

House Bill No. 449, An Act relative to insertion of names of veterans on checklists.

House Bill No. 466, An Act relating to transportation of school children and operators of school buses.

House Bill No. 501, An Act authorizing the town of Hudson to fund or refund certain indebtedness.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Holmes of Amherst at 1:53 o'clock the House adjourned.

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THURSDAY, MAY 5, 1955

The House met at 11:00 o'clock.

Prayer was offered by guest Chaplain, Rev. Lorenzo J. Lacasse, pastor of St. Lawrence Catholic church, Goffstown.

Almighty and Eternal God, source of all true and legitimate authority, we, Thy grateful creatures, bow before Thee in reverence and heartfelt homage.

Assembled here for a sacred and holy purpose, we posit in Thy presence a corporate act of faith in Thy all-ruling Providence, whose every disposition proclaims Thy Wisdom, Thy Goodness and Thy Glory.

As members of Thy human family, citizens of these United States and residents of New Hampshire, we thank Thee for the prodigal profusion of favors bestowed upon us. While striving after external advantages, in our earthly prosperity may we never forget Thee, the Author and Giver of all good things.

We pray Thee, O God of Wisdom, through Whom authority is rightly administered, laws are enacted and judgments decreed, assist with Thy Spirit of counsel and fortitude, His Excellency the Governor of this State, that his administration



may be conducted in righteousness, and be eminently useful to Thy people over whom he presides.

Let the light of Thy divine wisdom direct the deliberations of this legislative assembly, and shine forth through the proceedings and laws framed for our rule and government; so that they may tend to the preservation of peace and the perpetuation of the blessings of equal liberty.

May all here present be blessed in the knowledge and sanctified in the observance of Thy Most Holy Law, and after enjoying the blessings of this life, be admitted to those which are eternal. Amen.

### **Salute to the Flag**

Mr. Pickett of Keene led the convention in the salute to the flag.

### **Leaves of Absence**

Messrs. Walker of Concord and Craig of Manchester, and Mrs. Miner of Meredith were granted leaves of absence for the day on account of important business.

### **Introduction of Bills**

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, (Mr. Karkavelas of Dover), House Bill No. 523, An Act relative to the definitions of the word beverage. To the Committee on Liquor Laws.

By the Committee on Rules, (Mr. Willey of Campton), House Bill No. 524, An Act relative to fees for liquor licenses for clubs and hotels. To the Committee on Ways and Means.

By the Committee on Rules, (Mr. Faulkner of Keene), House Bill No. 525, An Act empowering the public utilities commission to bargain with the New York Power Authority. To the Committee on Executive Departments and Administration.

### **Committee Reports**

Mr. Hodgdon of Wolfeboro, for the Committee on Appropriations, to whom was referred House Bill No. 503, An Act relative to funds for development of the Port of Portsmouth,

having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Payette of Portsmouth, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 499, An Act to increase the borrowing power of the Goffstown Village Precinct and legalize the proceedings of its annual meeting of March 15, 1955, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Karkavelas of Dover, for the Committee on Liquor Laws, to whom was referred House Bill No. 227, An Act relative to issuance of special wholesaler's permit under the alcoholic beverage laws, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Karkavelas of Dover, for the Committee on Liquor Laws, to whom was referred House Bill No. 261, An Act relative to prohibited interests by wholesalers of beverages, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Karkavelas of Dover, for the Committee on Liquor Laws, to whom was referred House Bill No. 389, An Act relative to employment of minors under liquor and beverage laws, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Liquor Laws, to whom was referred House Bill No. 389, An Act relative to employment of minors under liquor and beverage laws, having considered the same, and being unable to agree with

the majority, reported the same with the recommendation that the bill ought to pass.

LORENZO P. GAUTHIER,  
JAMES L. MAHONY,  
A. J. MARCOTTE,

*For the Minority of the Committee.*

The reports were accepted.

Mr. Mahony of Manchester moved to substitute the minority report for that of the majority.

The question being on the motion to substitute.

(Discussion ensued)

Messrs. Mahony and Pillsbury of Manchester, Gardner of Littleton, Pickett of Keene, Charland of Franklin and Pryor of Ashland spoke in favor of the motion.

Messrs. Clement of Rochester, Jennings of Goffstown, Rainie of Concord, Eldredge of Exeter, Ashley of Lebanon and Mesdames Funkhouser of Durham and Travis of Portsmouth spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the minority report for that of the majority.

On a *viva voce* vote the Chair was in doubt.

Mr. Pillsbury of Manchester called for a division.

A division being had, 156 members having voted in the affirmative, and 166 members having voted in the negative, the motion did not prevail.

Mr. Gauthier of Manchester demanded the yeas and nays, and the roll was called with the following result:

### Yeas — 155

HILLSBOROUGH COUNTY: Black, Jones of Francestown, Fortin, Abbott, Spaulding, Pettigrew, Soucy of Manchester, Ward 1, Danforth, Mahony of Manchester, Pillsbury of Manchester, Robb, Horan, Sullivan, Fitzgerald, Kean, Nolan, Betley, Smith of Manchester, Walsh, Callahan, Casey, Clancy, Healy of Manchester, Ward 6, Corey, Paradis, Tessier, Delisle, Lavoie, Constant, Morris, Auger, Schricker, Alexander, Boisvert, Hurley, Lareau, Martel, Soucy of Manchester, Ward

12, Dion of Manchester, Gauthier, Gelin, Lafond, Lesmerises, Gamache, Peterson, Boire, Ayers of Nashua, Maynard, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Bouthillier, Dumais.

CHESHIRE COUNTY: Spofford, Pickett, Waling, Brown of Marlow, Sherwin, Lane, Lang of Troy, Ballam, Rhodes, Thompson.

SULLIVAN COUNTY: Bloomfield, Howe, Firestone, Marcotte, Rowell, Vaughan of Newport, DeLude.

GRAFTON COUNTY: Ramsey, Prior, Stevenson, Willey, Bradley, Larty, Chamberlain of Holderness, Jones of Lebanon, Perley, Gardner of Littleton, Huckins, Barney.

COOS COUNTY: Dussault, Fortier, Roy, Brungot, Bouchard, Fontaine, Gagnon, Rines, Cornelius, Annis, Converse, Phelan, Baker, Stinson.

ROCKINGHAM COUNTY: Persson, Barka, Blair, Jones of Fremont, McCaffery, Sewall, Payette, Quirk, Joyce, Willis (Anna), Willis (Howard).

STRAFFORD COUNTY: Chase, Desjardins, Felker, Crandall, Flanagan, Stearns, Nute, Chadbourn, St. Pierre, Letourneau, Cormier, Malley.

BELKNAP COUNTY: Skinner, Boutin, Robertson, Morin, Simoneau, Tilton, Ballentine, Karagianis, Varrell, Smith of Meredith.

CARROLL COUNTY: Roberts, Hayden, Hodge, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Baron, Dowd, Ferrin, Colbath, Anderson, Comi, Burke, Kenney, Charland, Dempsey, DuDevoir, Mulaire, Gay of New London, Thibeault of Pembroke, Bigelow, Bean.

### Nays — 178

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Herrick, Hambleton, Jennings, Poore, Reed, Goodwin, Lang of Manchester, Dwyer, Healy of Manchester, Ward 5, Ecker, Slowey, Bergeron, Cannon, Donnelly, Peaslee of Merrimack, Falconer, Wadleigh, Buckley, Cummings, Saunders,

Brosnahan, Locke, Aho, Dutton, Rice, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Burnham, Pike, Smith of Hinsdale, Perry, Kirk, McCullough, Wheeler, Bennett, Brown of Keene, Coddington, Faulkner, Carlton, Terrill, Billings, Ingham.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Bissonett, Millar, Stone, Davis of Cornish, Nelson of Goshen, Reney, Bailey, Roe, Pierce, Gamsby.

GRAFTON COUNTY: Plumer, Clarke of Canaan, Sanborn, Atkins, Hayward, Holden, Adams, Ashley, Cole, Townsend, Collyer, Martin, Frazer, Talbot, Carr, Bell.

COOS COUNTY: Aalls, Hurlbert, Bishop, Ferguson, Potter, Bushey, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Tenney, Shattuck, Fogg, Bisbee, Nickerson of East Kingston, Eastman of Exeter, Eldredge, Merrill, Rathbone, Spollett, Hunter, Tobey, Thurlow, Battles, Parmenter, Labranche, Cheney, Carter, Pinkham, Palmer, Barrett, Dondero, Hundley, Murch, Travis, Wardwell, Munz, Ingraham, Haigh, Pillsbury of Sandown, Felch, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Karkavelas, Webb, Connell, Pearson, Funkhouser, Littlehale, Wentworth, Evans, Rolfe, Dustin, Lacasse, Studley, Clement of Rochester, Estes, Green, Maloomian, Brown of Strafford.

BELKNAP COUNTY: McAllister, Hart, Burbank, Dana, Urie, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Benson, Stokes, Nickerson of Madison, Lamprey, Remick, Hodgdon.

MERRIMACK COUNTY: Phelps, Ellsworth, Vaughn of Bow, Vogel, Stevens, Davis of Concord, Henry, Hancock, Shea of Concord, Lessels, Nelson of Concord, Jewett, Rainie, Cilley, Maxham, McKee, Mahoney of Concord, Nutter, Broadhurst, Carpenter, Mason, Davis of Hopkinton, Ayer of Pittsfield, Young, Lovejoy, Workman.

Deans of Milford voting No, paired with O'Shan of Laconia, voting Yes.

And the motion did not prevail.



The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Black of Bennington moved that the rules be so far suspended as to allow the introduction of a committee report not previously advertised in the journal.

On a *viva voce* vote the motion prevailed.

Mr. Lang of Manchester, for the Committee on Public Welfare and State Institutions, to whom was referred Concurrent Resolution, Concurrent Resolution relating to the electrical fixtures in the rotunda of the State House, having considered the same, reported the same with the following amendment, and the recommendation that the concurrent resolution as amended ought to pass.

Amend the concurrent resolution by striking out all after the resolving clause and inserting in place thereof the following:

That modern lightning fixtures be installed around the perimeter of the rotunda of the State House and the two chandeliers presently installed be retained.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

The question being on the concurrent resolution as amended.

On a *viva voce* vote the concurrent resolution as amended was adopted and sent to the Senate for concurrence.

### Report of Committee on Engrossed Bills

Mrs. Palmer of Plaistow, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bills:

House Bill No. 220, An Act relating to compensation for the board of registrars in the city of Portsmouth.

House Bill No. 228, An Act relating to hours of meeting for the board of registrars in the city of Portsmouth.

House Bill No. 404, An Act relative to real estate investments and loans of building and loan associations.

House Bill No. 482, An Act legalizing the annual meeting in the town of Canterbury.

House Bill No. 487, An Act legalizing the annual meeting in the town of Acworth.

House Bill No. 492, An Act to authorize the school district of Litchfield to exceed its limit of bonded indebtedness.

House Bill No. 508, An Act relative to mileage allowances for legislative officers and employees.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 220, An Act relating to compensation for the board of registrars in the city of Portsmouth.

House Bill No. 228, An Act relating to the board of registrars in the city of Portsmouth.

House Bill No. 304, An Act naming the Governor John Wentworth Highway.

House Bill No. 418, An Act relative to share or share account limits of building and loan associations.

House Bill No. 423, An Act relative to unsecured loans of building and loan associations.

House Bill No. 428, An Act relative to the powers of the credit committee of credit unions.

House Bill No. 482, An Act legalizing the annual meeting in the town of Canterbury.

House Bill No. 487, An Act legalizing the annual meeting in the town of Acworth.

House Bill No. 492, An Act to authorize the school district of Litchfield to exceed its bonded indebtedness.

House Bill No. 404, An Act relative to real estate investments and loans of building and loan associations.

House Bill No. 508, An Act relative to mileage allowances for legislative officers and employees.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 192, An Act relative to railroad overhead bridges and underpasses and clearings of grade crossing quadrants.

Amend House Bill 192 by striking out section one thereof and inserting in its place the following: 1. *Study of Apportionment of Costs.* That the Commissioner of Public Works and Highways and the Public Utilities Commission are directed to study the present manner of apportioning the cost of construction and the cost of maintenance of highway and railroad underpasses and overpasses between railroads, operating in this state, and the state, or between such railroads and municipalities as the case may be, and to study the manner in which such apportionment might be made in the future in order to provide an equitable method of apportionment consonant with present day conditions and the relative benefits derived from such structures by the railroads and the state, or between the railroads and municipalities, as the case may be. The Commissioner of Public Works and Highways and the Public Utilities Commission are directed to elicit the suggestions and cooperation of the railroads operating in this state in this study to be completed not later than October 1, 1956.

On motion of Mr. Rainie of Concord, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 83, An Act relative to bow and arrow licenses for minors.

Amend section 1 of said bill by inserting after the word "elsewhere" in the tenth and the twenty-third lines the words, provided that if said nonresident not holding a New Hampshire hunting license shall be a person under sixteen years of age he shall not be entitled to hunt under said special license except when accompanied by a properly licensed person who is twenty-one years of age or over, so that said section as amended shall read as follows:

1. *Bow and Arrow.* Amend section 16-a of chapter 242 of the Revised Laws, as inserted by chapter 258, Laws of 1949, and as amended by section 1, chapter 145, Laws of 1951 (section 5, chapter 208, R S A) by striking out after the word "license"

in the seventh line the words "which shall entitle him to hunt deer with bow and arrow for a period of ten days immediately prior to the open season for taking deer" and inserting in place thereof the following: Said special license shall entitle the holder to hunt deer with bow and arrow for a period of twenty-one days immediately prior to the open season for taking deer in Bear Brook Reservation and for a period of ten days immediately prior to the open season for taking deer elsewhere, provided that if said nonresident not holding a New Hampshire hunting license shall be a person under sixteen years of age he shall not be entitled to hunt under said special license except when accompanied by a properly licensed person who is twenty-one years of age or over. A special license shall not be required for residents less than sixteen years of age, but such person while hunting with bow and arrow must be accompanied by a properly licensed person who is twenty-one years of age or over, and must further comply with all provisions of this chapter, so that said section as amended shall read as follows: 16-a. *Bow and Arrow*. Any resident holding a valid New Hampshire hunting license upon the payment of an additional fee of two dollars, or any non-resident holding a valid New Hampshire hunting license upon the payment of an additional fee of three dollars, or a nonresident not holding a New Hampshire hunting license, upon the payment of a fee of ten dollars, shall be issued a special license. Said special license shall entitle the holder to hunt deer with bow and arrow for a period of twenty-one days immediately prior to the open season for taking deer in Bear Brook Reservation and for a period of ten days immediately prior to the open season for taking deer elsewhere, provided that if said nonresident not holding a New Hampshire hunting license shall be a person under sixteen years of age he shall not be entitled to hunt under said special license except when accompanied by a properly licensed person who is twenty-one years of age or over. A special license shall not be required for residents less than sixteen years of age, but such person while hunting with bow and arrow must be accompanied by a properly licensed person who is twenty-one years of age or over, and must further comply with all provisions of this chapter. Any person taking a deer under the provisions of this section shall notify a conservation officer within twenty-four hours of such taking.

On motion of Mr. Rolfe of Rochester the House concurred

in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolutions, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Joint Resolution No. 13, Joint Resolution in favor of Francis H. Buffum.

Amend said resolution by inserting after the word "Miniature" the words, provided that said Francis H. Buffum shall transfer to the state all his copyrights, plates and other material in connection with said pamphlet, so that said resolution as amended shall read as follows:

That the sum of one thousand dollars be and hereby is appropriated to reimburse Francis H. Buffum for his actual expenses in the compiling and printing of two thousand copies of "New Hampshire in Miniature," provided that said Francis H. Buffum shall transfer to the state all his copyrights, plates and other material in connection with said pamphlet. Said sum appropriated shall be a charge upon the general funds.

On motion of Mr. Vogel of Canterbury the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 59, An Act relating to indebtedness of the city of Manchester.

Senate Bill No. 82, An Act to amend the charter of the Cheshire County Savings Bank.

Senate Bill No. 83, An Act relative to Colby Junior College Highway and Sutton road.

Senate Bill No. 79, An Act relative to the sale of cider.



### Senate Bills Read and Referred

The following Senate bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

Senate Bill No. 59, An Act relating to indebtedness of the city of Manchester.

Referred to the Committee on Executive Departments and Administration.

Senate Bill No. 82, An Act to amend the charter of the Cheshire County Savings Bank.

Referred to the Committee on Executive Departments and Administration.

Senate Bill No. 83, An Act relative to Colby Junior College Highway and Sutton road.

Referred to the Committee on Public Works.

Senate Bill No. 79, An Act relative to the sale of cider.

Referred to the Committee on Liquor Laws.

### Resolutions

Mr. Lessels of Concord offered the following resolution:

*Resolved*, that the Justices of the Supreme Court be respectfully requested to give their opinion upon the following question of law:

Do the provisions of House Bill No. 43, An Act relative to forest conservation, violate the fundamental law of the state relative to taxation of property:

*Further Resolved*, that the Speaker transmit a copy of House Bill No. 43 to the Clerk of the Supreme Court for the consideration of said court.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that the third readings of bills be by their titles only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 499, An Act to increase the borrowing power of the Goffstown Village Precinct and legalize the proceedings of its annual meeting of March 15, 1955.

House Bill No. 503, An Act relative to funds for development of the Port of Portsmouth.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Millar, at 1:12 o'clock the House adjourned.

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TUESDAY, MAY 10, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

The Psalmist said: "Thou art what I obtain from life, O Thou Eternal." How many times, O God, we have heard people say: "I do not find life worth living." And how true that is because no one *finds* life worth living, we make it worth living by what we put into it.

Help us to ever remember, to have the fulness of life we must put Thee into it. There is a barrenness to this human existence without Thy presence, and there is a weakness that makes our mortal strength insufficient to cope with the powers of wrong when we rely on human strength alone. Thy presence helps us to look back on the past with a deep sense of satisfaction; it gives us a sense of security, and it adds that something to our lives that is infectious as we live and deal with others. Help us, our God to experience, by Thy presence, the fulness of life. Through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mr. Angus of Claremont led the convention in the salute to the flag.

### Leaves of Absence

Mr. Ryan of Nashua was granted leave of absence for the week on account of illness.

Mr. Boutin of Belmont was granted an indefinite leave of absence on account of illness.

Mr. Hadley of Hillsborough was granted leave of absence for the week on account of death in the family.

Mrs. Millar of Claremont and Messrs. Hunter of Hampton and Locke of New Boston were granted leave of absence for the day on account of important business.

Mesdames Davis of Concord, Studley of Rochester and Mr. Clement of Rochester were granted leave of absence for the week on account of important business.

### Introduction of Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Mr. Faulkner of Keene), House Bill No. 526, An Act relative to the distribution of copies of the Revised Statutes Annotated to members of the General Court. To the Committee on Appropriations.

### Committee Reports

Mr. McAllister of Barnstead, for the Committee on Banks, to whom was referred House Bill No. 186, An Act relating to fiduciary powers of trust companies and national banks, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Craig of Manchester moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Craig of Manchester, Deans of Milford, Buckley of Mont Vernon, Poore of Goffstown, Jones of Lebanon, Spaulding of Hudson, and Pappagianis of Nashua spoke in favor of the motion.

Messrs. Sherwin of Rindge, Pillsbury and Geisel of Manchester spoke against the motion.

On a *viva voce* vote the motion prevailed.

Mr. Pillsbury of Manchester called for a division.

A division being had, 207 members having voted in the affirmative and 108 members having voted in the negative, the motion to indefinitely postpone prevailed.

### Notice of Reconsideration

Mr. Bisbee of Derry served notice that today or some subsequent day he would move to reconsider the vote whereby

House Bill No. 389, An Act relative to employment of minors under liquor and beverage laws was voted inexpedient to legislate.

Mr. Willey of Campton, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 81, An Act relative to the charter of the Plymouth Guaranty Savings Bank, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 367, An Act to change classification of a road in the town of Milan, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Joint Resolution No. 48, Joint Resolution relative to a certain road between Holderness and North Woodstock, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 493, An Act relative to tax exemption for certain installations controlling the disposal of industrial wastes, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Pillsbury of Manchester offered the following amendment:

Amend section 1 of the bill by inserting after the word "water" in the first, seventh and eighteenth lines (of the printed bill) the words, or air; further amend by striking out

the words "industrial waste" in the fourteenth line (of the printed bill), so that said section as amended shall read as follows:

1. *Water or Air Pollution Control Facilities.* Amend chapter 166-A of the Revised Laws, as inserted by chapter 183 of the Laws of 1947 (chapter 149, RSA) by inserting after section 4-a the following new sections: 4-b. *Tax Exemption.* In view of the general public benefits resulting from the control of pollution in the surface waters or air of the state and to further promote the purposes and objectives of this chapter, any treatment facility, device, appliance or installation (whether consisting of real or personal property or a combination of both) built, constructed or placed in operation by any person, firm or corporation in this state wholly or partly for the purpose of reducing, controlling or eliminating any source of pollution shall be exempt from taxes levied under chapter 73 of the Revised Laws for a period of twenty-five years for that percentage of the valuation effective in the control of water or air pollution as the commission shall determine. Upon such determination the commission shall notify the municipality of the percentage determined by it to be subject to exemption from taxes, and the taxing officials shall thereafter reduce the assessment by a like amount. 4-c. *Review.* The commission may annually conduct a hearing to determine the percentage of such facilities which is effective in controlling pollution, and either the municipality or the owner of the control facility may request a rehearing or appeal from such determination in accordance with the provisions of chapter 414 of the Revised Laws.

The question being on the amendment.

(Discussion ensued)

Messrs. Pillsbury of Manchester and Pickett of Keene spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Varrell of Laconia, for the Committee on Labor, to whom was referred House Bill No. 480, An Act relative to counsel fees under unemployment compensation cases, having considered the same, reported the same with the following resolution:



*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Lavoie of Manchester moved that the bill be recommitted to the Committee on Labor.

The question being on the motion to recommit.

(Discussion ensued)

Mr. Lavoie of Manchester spoke in favor of the motion.

Mr. Angus of Claremont spoke against the motion.

On a *viva voce* vote the motion to recommit did not prevail.

The question being on the resolution of the committee that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Shea of Concord, for the Committee on Labor, to whom was referred House Joint Resolution No. 20, Joint Resolution relating to retirement study, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Wheeler of Keene, for the Special Committee consisting of the members from the city of Keene, to whom was referred House Bill No. 465, An Act relative to elections for Union School District in the city of Keene, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Brown of Keene, for the Special Committee consisting of the members from the city of Keene, to whom was referred House Bill No. 470, An Act relative to ward lines of the city of Keene, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Pickett of Keene, for the Special Committee consisting of the members from the city of Keene, to whom was re-

ferred House Bill No. 506, An Act relative to the salary of the justice of the Keene Municipal Court, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### Reconsideration

Mr. Bisbee of Derry moved that the House reconsider its vote whereby it voted as inexpedient to legislate House Bill No. 389, An Act relative to employment of minors under liquor and beverage laws.

The question being on the motion to reconsider.

(Discussion ensued)

Messrs. Mahony of Manchester, Comi of Concord, and Mrs. Brungot of Berlin spoke in favor of the motion.

Mr. Eldredge of Exeter and Mrs. Dondero of Portsmouth spoke against the motion.

Mr. Faulkner of Keene moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to reconsider.

On a *viva voce* vote the motion did not prevail.

Mr. Lafond of Manchester called for a division.

A division being had, 102 members having voted in the affirmative, and 190 members having voted in the negative, the motion to reconsider did not prevail.

### Report of Committee on Engrossed Bills

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 192, An Act relative to railroad overhead bridges and underpasses and clearings of grade crossing quadrants, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the title thereof and inserting in place thereof the following:

An Act providing for a study of the manner of apportioning the cost of construction and maintenance of highway and railroad underpasses and overpasses.

On motion of Mr. Rainie of Concord the House voted to adopt the amendments proposed by the Committee on Engrossed Bills.

The bill was sent to the Senate for concurrence.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 254, An Act relative to a report of birth, having considered the same, reported the same, under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by inserting after the figure "1949" the following: (section 6, chap 126, RSA).

Amend section 2 of said bill by inserting after the figure "1949" in the third line the following: (section 7, chapter 126, RSA).

On motion of Mr. Pillsbury of Sandown, the House voted to adopt the amendments proposed by the Committee on Engrossed Bills.

The bill was sent to the Senate for concurrence.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 137, An Act relative to the sale of spirituous liquor and beverages on election days.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on:

House Bill No. 16, An Act to promote safety on the highways by regulating access from state highways to drive-in theatres.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on:

House Bill No. 475, An Act relative to salaries of various county officials of Belknap, Strafford, Cheshire, Grafton and Coos counties.

The President appointed as members of such committee on the part of the Senate, Senators Ainsworth and Powell.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled joint resolutions sent up from the House of Representatives:

House Joint Resolution No. 38, Joint Resolution appropriation for carrying out provisions of statute relative to reciprocal agreements for educational facilities for New Hampshire residents.

House Joint Resolution No. 44, Joint Resolution in favor of the Danbury Hospital, Danbury, Connecticut.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

House Bill No. 138, An Act relative to forest fire protection and appointment of wardens.

2. *Forest Fire Trails.* Amend chapter 233 of the Revised Laws (chapter 224, RSA) by inserting after section 19 thereof the following new section: 19-a. *Fire Trails.* Forest fire wardens and deputy wardens or any agent designated by them may, with the approval of the state forester, brush-out and make passable old roads and trails useful for the passage of men and equipment in case of forest fires. Expenditures for this purpose shall be shared by the state and town, place or municipality in the same proportion as other prevention expense except that the state's share under this section shall not exceed twenty-five dollars to any one town, place or municipality in any one year.

On motion of Mr. Sanborn of Enfield, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 51, An Act prohibiting the use of outboard motors on Perch pond in the town of Campton.

### Senate Bill Read and Referred

The following Senate bill was introduced and read a first and second time, and referred as follows:

Senate Bill No. 51, An Act prohibiting the use of outboard motors on Perch pond in the town of Campton.

Referred to the Committee on Aviation.

### Resolutions

Mrs. Mahoney of Concord and Mr. Vogel of Canterbury offered the following resolution:

*Whereas*, William H. Brown, Representative from Loudon, has been ill in hospital and is now restricted to his home, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, extend our sympathy to our fellow member in his illness and our best wishes for a speedy recovery, and be it further

*Resolved*, that a copy of these resolutions be transmitted by the Clerk of the House to Representative Brown.

On a *viva voce* vote the resolution was adopted.

On motion of Mrs. Herrick of Deering the rules were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time, and that third readings of bills be by their titles only, and that when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 493, An Act relative to tax exemption for certain installations controlling the disposals of industrial wastes.

House Bill No. 506, An Act relative to the salary of the Justice of the Keene Municipal Court.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 81, An Act relative to the charter of the Plymouth Guaranty Savings Bank.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Lareau of Manchester at 12:56 o'clock the House adjourned.



WEDNESDAY, MAY 11, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God, Who through Thy prophet of old did say "Not by might nor by power but by My Spirit," help us in this day of materialistic thinking, in this day when we measure the worth of a man by the dollar sign, and power by physical or mechanical force, to more thoroughly understand and appreciate moral and spiritual values. O God of might and power, make us ever mindful of the fact that we cannot measure Thy power with the instrument by which we determine nuclear energy, we cannot analyze Thy love in the test tube and we cannot measure Thy mercy by the yardstick. Help us to ever remember that man's achievements are insignificant and puny compared with Thy Almightyness.

"Mysterious Presence, Source of all, —  
The world without, the soul within,  
Fountain of Life, O hear our call,  
And pour Thy living spirit in!"  
Amen.

### Salute to the Flag

Mr. Weeks of Greenland led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Tobey of Hampton, Sweeney of Nashua and Gay of New London were granted leave of absence for the day on account of important business.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By the Committee on Rules (Mr. Pillsbury of Manchester), House Bill No. 527, An Act relative to sales of armories. To the Committee on Appropriations.

By the Committee on Rules (Mr. Smith of Meredith), House Bill No. 528, An Act relating to sewer bonds of the town of Meredith. To the Committee on Executive Departments and Administration.

### Printing Dispensed With

On motion of Mr. Rainie of Concord the rules were so far suspended as to dispense with the printing of House Bill No. 528, An Act relating to sewer bonds of the town of Meredith.

### Committee Reports

Mr. Willey of Campton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 313, An Act relative to mileage allowances for members of the general court, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Ecker of Manchester, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 494, An Act relative to sufficiency of notice and limitation of action for recovery of support, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rathbone of Exeter, for the Committee on Judiciary, to whom was referred House Bill No. 231, An Act relating to the qualifications of members of the public service commission, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Jones of Lebanon, for the Committee on Judiciary, to whom was referred Senate Bill No. 16, An Act relative to special sessions of probate courts, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Judges of Probate.* Amend section 23 of chapter 346, Revised Laws, (section 24, chapter 547, RSA) by striking out

said section and inserting in place thereof the following: 23. *Special Sessions.* Whenever the judge, at the request of the parties, shall attend an uncontested hearing on days other than those fixed by the statute as the regular days for the sitting of the probate court, he may be allowed five dollars for his service plus his expenses. In the case of a contested hearing, he shall be allowed additional compensation which shall not exceed an additional ten dollars for a half day or an additional twenty dollars for a whole day plus his expenses. Such compensation and expenses shall be paid out of the estate to which the proceedings relate, unless the judge rules otherwise.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 511, An Act relative to change of classification of road in the town of Gilmanton, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ferguson of Jefferson, for the Special Committee consisting of the members from the county of Coos, to whom was referred Senate Bill No. 74, An Act legalizing a meeting of the Coos county convention, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fortier of Berlin, for the Special Committee consisting of the members from the county of Coos, to whom was referred House Bill No. 502, An Act relative to the salary of the sheriff of Coos county, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the salaries of the sheriff and treasurer of Coos county.

Amend the bill by inserting after section 1 the following new section:

2. *Coos County Treasurer.* Amend section 13, chapter 48, Revised Laws, as amended by chapter 66, Laws of 1945, chapter 257, Laws of 1947, chapter 179, Laws of 1953, (section 14, chapter 29, RSA) by striking out the word "four" in the thirteenth line and inserting in place thereof the word, five, so that said section as amended shall read as follows: 13. *Salaries.* The annual salaries of the treasurers of the several counties to be in full for their services and allowances of every kind, except as hereinafter provided, shall be as follows:

In Rockingham, eight hundred dollars.

In Strafford, four hundred dollars.

In Belknap, three hundred dollars.

In Carroll, five hundred dollars.

In Merrimack, six hundred dollars.

In Hillsborough, twelve hundred dollars.

In Cheshire, four hundred dollars.

In Sullivan, four hundred dollars.

In Grafton, five hundred dollars.

In Coos, five hundred dollars.

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

Amend section 2 by striking out the words and figures "as of January 1, 1955" and inserting in place thereof the words and figures, January 1, 1956, and by renumbering section 2 to read section 3, so that said section as amended shall read as follows:

3. *Takes Effect.* This act shall take effect January 1, 1956.

The report was accepted.

Reading of the amendment having commenced on motion of Mrs. Brungot of Berlin, further reading was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

### Special Order

Mr. Rogers of Laconia called for the special order for 11:01 o'clock, it being House Joint Resolution No. 49, Joint Resolution relative to a road in Fitzwilliam.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. Rogers of Laconia moved that the bill be recommitted to the Committee on Public Works.

The question being on the motion.

On a *viva voce* vote the motion prevailed.

### Special Order

Miss Collyer of Lisbon called for the special order for 11:02 o'clock, it being House Joint Resolution No. 50, Joint Resolution relative to reconstruction of Brook road in the town of Lisbon.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. Pillsbury of Manchester moved that House Joint Resolution No. 50, Joint Resolution relative to reconstruction of Brook road in the town of Lisbon, be made a special order of business for Tuesday, May 17, at 11:01 o'clock.

The question being on the motion.

On a *viva voce* vote the motion prevailed.

### Report of Committee on Engrossed Bills

Mrs. Hayden of Ossipee, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate and House bills and House joint resolutions:

Senate Bill No. 17, An Act relative to the salary of the justice of the municipal court of Portsmouth.

Senate Bill No. 19, An Act relative to the trapping of fur-bearing animals in the Androscoggin Valley watershed.

House Bill No. 16, An Act to promote highway safety by regulating access from state highways to drive-in theatres and roadside advertising near intersections.

House Bill No. 37, An Act relating to hawkers and peddlers.

House Bill No. 83, An Act relative to bow and arrow license for minors.



House Bill No. 135, An Act relating to the taxation of house trailers.

House Bill No. 304, An Act naming the Governor John Wentworth Highway.

House Bill No. 418, An Act relative to share or share account limits of building and loan associations.

House Bill No. 423, An Act relative to unsecured loans of building and loan associations.

House Joint Resolution No. 13, Joint Resolution in favor of Francis H. Buffum.

House Joint Resolution No. 38, Joint Resolution appropriation for carrying out provisions of statute relative to reciprocal agreements for educational facilities for New Hampshire residents.

House Joint Resolution No. 44, Joint Resolution in favor of the Danbury Hospital, Danbury, Connecticut.

House Bill No. 237, An Act relative to the unemployment compensation law.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 428, An Act relative to the powers of the credit committee of credit unions.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the powers of the credit committee of, and sale of checks by, credit unions.

Amend section 2 of said bill by striking out the first line and inserting in place thereof the following:

2. *Authority Granted.* Amend chapter 315 of the Revised Laws (chapter 394, RSA) by inserting

On motion of Mr. Hambleton of Goffstown the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolution sent up from the House of Representatives:

House Bill No. 383, An Act relative to the distribution of property to legatees, distributees or beneficiaries outside the United States.

House Joint Resolution No. 32, Joint Resolution in favor of Alex E. Demers.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 84, An Act authorizing towns to form unions for the purpose of employing a town manager.

### **Senate Bill Read and Referred**

The following Senate bill was introduced, read a first and second time, and referred as follows:

Senate Bill No. 84, An Act authorizing towns to form unions for the purpose of employing a town manager.

Referred to the Committee on Executive Departments and Administration.

### **Personal Privilege**

Mr. Lamprey of Moultonborough rose on a point of personal privilege.

### **Resolutions**

Mr. Carpenter of Henniker offered the following resolution:

*Whereas*, G. W. Hadley of Hillsborough, father of Samuel P. Hadley, Representative from Hillsborough, has passed away, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, extend our deep sympathy to our fellow member in his bereavement, and be it further

*Resolved*, that the Clerk of the House transmit to Representative Hadley a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Messrs. Deans of Milford and Falconer of Milford offered the following resolution :

*Whereas*, Miss Helen Wadleigh of Franklin, sister of Fred T. Wadleigh, Representative from Milford, has passed away, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, extend our deep sympathy to our fellow member in his bereavement, and be it further

*Resolved*, that the Clerk of the House transmit to him a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time, and that third readings of bills be by their titles only, and that when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Bill No. 502, An Act relative to the salary of the sheriff of Coos county.

House Bill No. 511, An Act relative to change of classification of road in the town of Gilmanton.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 16, An Act relative to special sessions of probate courts.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Miss Spollett of Hampstead at 11:55 o'clock the House adjourned.

THURSDAY, MAY 12, 1955

The House met at 11:00 o'clock.

Prayer was offered by guest Chaplain, Rev. Matt P. Aho, Pastor Apostolic Lutheran Church of New Ipswich, N. H.

In the name of the Father, and of the Son, and of the Holy Ghost. Amen.

Let us all pray:

Our dear heavenly Father, we give praise and thanks unto Thee, in the name of our Lord Jesus Christ, for all Thy goodness and mercy, that Thou hast permitted us to rest under the shadow of Thy wings. Grant that we this day and always may be so awakened and watchful in faith that we will not desire to live but only in Thee, and that, as long as life shall last, we may live solely in faith in Thy Son, that He may be our light and our life. To this end we commend ourselves anew to Thee, that Thou wouldst cleanse and reign over us. Grant us that Christ, through faith, may dwell in our hearts; that He may bring forth the fruits of faith within us, — love, hope, humility, meekness, and patience. Teach us that we may desire nothing but Thy love; no gain but the riches of Thy grace; no honor but that of being Thy child. May we take no worry for temporal things, for Thou wilt not leave us nor forget us. Bless Thou the labor of our hands and deliver us from all sin, danger, and harm.

Spread the wings of Thy mercy over all men and rescue each one from destruction. Let Thy protecting hand be over our nation, and grant us faithful rulers to do Thy will in Thy fear. Grant unto Thy Church faithful laborers who shall declare Thy truth and shall live according to Thy will. Relieve and comfort the sick and the sorrowful. Graciously help those who are assaulted by the devil and who are in peril of death, and strengthen them who are suffering for the sake of Christ's name. Especially do we commend to Thy care and keeping all Thy children.

Dear God, bless His Excellency, the Governor and his Council, the President of the Senate and his Chamber; dear God, bless our Speaker of the House, and give unto him long-

suffering and patience in his duties, bless all the members of this house with Thy wisdom to be able to discern the good from the evil, the right from the wrong and to ask Thee for guidance in all matters pertaining to our Legislations.

Keep from us all offenses, and bind us together in the unity of Thy holy love. And, when our final hour shall come, grant us a blessed departure from this world; and, on the last day, a resurrection to Thy glory forever. Amen.

### Salute to the Flag

Mr. Lafond of Manchester led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Comi of Concord, Pillsbury of Manchester, Pinkham of Northwood, Bishop of Gorham, and Urie of New Hampton were granted leaves of absence for the the day on account of important business.

### Communication

The Speaker read the following letter:

May 12, 1955

*To the Members of the General Court:*

Pursuant to the provisions of Senate Joint Resolution No. 3, the undersigned have caused an actuarial study to be made to ascertain the benefits and advantages, if any, that may accrue to the State and to its employees from a modification of the present Employment Retirement System by correlating its benefits with Federal Old Age and Survivors Insurance benefits.

The complete report of the Actuary is transmitted herewith.

It is our opinion that it would be desirable to correlate the Employees Retirement System with Federal Old Age and Survivors Insurance, providing a majority of the covered employees indicate their desire to do so by a referendum as required by existing law. In order that such a referendum may take place and become effective after the adjournment of this General Court, permissive legislation must be enacted during



this session. We are causing such legislation to be introduced into the General Court forthwith.

LANE DWINELL,  
*Governor*

RAYMOND K. PERKINS,  
*President of the Senate*

CHARLES GRIFFIN,  
*Speaker of the House of  
Representatives*

### Committee Reports

Mr. Haigh of Salem, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 77, An Act providing that charitable corporations may establish common trust funds, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Willey of Campton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 187, An Act providing for giving notice of claims for damages for skiing injuries, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend sections 12 and 13 of chapter 385 of the Revised Laws as inserted by section 1 of the bill by striking out the word "ninety" in the first and sixth lines of section 12 and the fourth line of section 13 and inserting in place thereof the word, thirty, so that said sections as amended shall read as follows:

12. *Notice of Claim Within Thirty Days.* Every person making a claim against the operator, owner or lessee of any ski slope, trail, mountain or other similar area used for skiing, or against any employee of such operator, owner or lessee, for damages for personal injuries sustained while actually engaged in skiing shall, within thirty days after the date when the injuries were received, give written notice of such claim to said operator, owner or lessee, or employee thereof. The

notice shall state the name and post office address of the claimant, the time when, the place where and the manner in which the claim arose, and the nature and extent of the injuries claimed to have been sustained so far as then known. No notice shall be considered invalid by reason of any defect or inaccuracy therein, unless the operator, owner or lessee, or employee thereof, shall show that he has been prejudiced by such defect or inaccuracy. The notice shall be served personally or by sending it by registered mail addressed to such operator, owner or lessee, or employee thereof, at his last known residence or place of business.

13. *Action Barred.* No action shall be maintained against any such operator, owner, lessee or employee thereof to recover damages for personal injuries sustained while actually engaged in skiing, unless written notice has been given within thirty days after the date of receiving the injuries as required by section 12 hereof, except in cases provided for in section 14 of this chapter.

The report was accepted.

Reading of the amendment having commenced, on motion of Mr. Rainie of Concord further reading was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Soucy of Manchester, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 495, An Act relative to fees for counsel assigned by court in certain cases, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the words "five hundred" in the fourth and seventh lines and inserting in place thereof the words, two hundred and fifty, so that said section as amended shall read as follows:

1. *Assignment of Counsel.* Amend section 3 of chapter 428 of the Revised Laws (section 3, chapter 604, RSA) by striking out the words "one hundred and fifty" and inserting in place thereof the words, two hundred and fifty, so that said section as amended shall read as follows:

3. *Counsel Fees.* Counsel so assigned by the court shall receive reasonable compensation for their services, not exceeding two hundred and fifty dollars in all at any one trial, which shall be allowed by the court and paid by the county.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Reed of Goffstown, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 514, An Act legalizing the annual meeting in the town of Springfield, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Gamsby of Sunapee, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 250, An Act changing the name of Claremont building and loan association to Claremont Cooperative Bank, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Carr of Orford, for the Committee on Insurance, to whom was referred A Resolution relative to insurance on motor vehicles, having considered the same, reported the same with the following resolution:

*Resolved*, that it is inexpedient to legislate, subject matter covered by proposed legislation herewith submitted and with the recommendation that the proposed joint resolution be referred to the Committee on Appropriations.

The report was accepted.

The question being on the resolution of the committee.

On a *viva voce* vote the resolution of the committee was adopted.

### **Introduction of a Joint Resolution**

House Joint Resolution No. 53 (Insurance Committee), Joint Resolution relative to insurance on motor vehicles.

Read a first and second time, laid upon the table to be printed, and referred to the Committee on Appropriations.

Mr. Bloomfield of Claremont, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 268, An Act relative to service exemptions for veterans, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred Senate Bill No. 62, An Act relating to registration of motor boats and outboard motors, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Rogers of Laconia, for the Committee on Public Works, to whom was referred House Bill No. 399, An Act relative to the construction and inspection of public buildings, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out the word "fifty" in the second line and inserting in place thereof the words, one hundred, so that said section as amended shall read as follows:  
1. *Construction Standards.* All new construction of schools, halls, theatres or other public buildings in which more than one hundred people can be assembled shall conform to the National Building Code as recommended by the National Board of Fire Underwriters and described as, "an ordinance providing for fire limits and regulations governing the construction, alteration, equipment or removal of buildings or structures."

Amend section 2 by striking out the word "fifty" in the second line and inserting in place thereof the words, one hundred; by inserting after the word "or" in the fourth line the words, in towns having no fire chief by the; and by striking out the words "and approved by the state fire marshal" in the fifth line, so that said section as amended shall read as follows:

2. *Permit Required.* Prior to starting new construction of schools, halls, theatres or other public buildings in which

more than one hundred people can be assembled the person or persons responsible for such construction shall obtain a permit signed by the fire chief, in town having no fire chief, by the board of selectmen.

Amend the bill by striking out section 3.

Amend section 5 by striking out the word "biennial" in the second line so that said section as amended shall read as follows:

5. *Inspection of State Buildings.* The state fire marshal and the commissioner of public works and highways shall provide for safety inspection of all public buildings owned by the state.

Further amend the bill by renumbering sections 4, 5, and 6 to read 3, 4, and 5.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

### Senate Message

A message, sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

House Bill No. 192, An Act providing for a study of the manner of apportioning the cost of construction and maintenance of highway and railroad underpasses and overpasses.

House Bill No. 254, An Act relative to a report of birth.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 120, An Act relating to holidays.

House Bill No. 209, An Act relating to school superintendents in the state employees' retirement system.

House Bill No. 439, An Act relative to Alexander Cemetery Association.

House Bill No. 507, An Act relative to mileage allowances for members of the general court who work on non-legislative days.



The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 249, An Act relative to the New Hampshire shore and beach preservation commission.

Amend the bill by adding after section 1 the following new section. Section 2. *Kingston State Park*.. The Recreation Division of the Forestry and Recreation Department is hereby directed to continue to permit residents of the town of Kingston and their families, upon proper identification, to use the facilities of Kingston State Park on days other than Sundays and holidays without payment of any fees.

Further amend the bill by re-numbering section 2 to read section 3.

Mr. Rainie of Concord moved that the House non-concur in the amendments sent down from the Honorable Senate and asked that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Messrs Rainie of Concord, Soucy of Manchester, Ward 1, and Eastman of Weare.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 30, An Act relative to state parks.

Senate Bill No. 75, An Act establishing a police commission for the city of Rochester.

Senate Bill No. 85, An Act relative to temporary use of special military registrations and plates.

### Senate Bills Read and Referred

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

By Senator LaRoche of District No. 20, Senate Bill No. 75. An Act establishing a police commission for the city of Rochester. To the Special Committee consisting of the Delegation from the City of Rochester.

By Senator Powell of District No. 9, Senate Bill No. 85, An Act relative to temporary use of special military registrations and plates. To the Committee on Transportation.

By Senator English of District No. 11, Senate Bill No. 30, An Act relative to state parks. To the Committee on Public Works.

On motion of Mrs. Ayer of Pittsfield the rules were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time, and that third readings of bills be by their titles only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 187, An Act providing for giving notice of claims for damages for skiing injuries.

House Bill No. 399, An Act relative to the construction and inspection of public buildings.

House Bill No. 495, An Act relative to fees for counsel assigned by court in certain cases.

House Bill No. 514, An Act legalizing the annual meeting in the town of Springfield.

House Bill No. 520, An Act changing the name of Claremont building and loan association to Claremont Cooperative Bank.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 62, An Act relating to registration of motor boats and outboard motors.

Senate Bill No. 77, An Act providing that charitable corporations may establish common trust funds.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Bean of Webster at 12:09 o'clock the House adjourned.

TUESDAY, MAY 17, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, the Rev. Father (Lt. Col.) William Parker Neal, Priest of the St. James Episcopal Church in Laconia and Wing Chaplain of the N. H. Wing Civil Air Patrol.

In the Name of the Father and of the Son and of the Holy Ghost. Amen.

O God, our Heavenly Father, sovereign commander of all the world, in Whose Hand is power and might which no one is able to withstand; guide with Thy true and peaceable wisdom the members of this Legislature here assembled. Take from them all bitterness, jealousy and suspicion, and grant that in all tranquillity they may seek to bring unity, peace and concord to the peoples of this state. Grant to them special gifts of wisdom and understanding, of counsel and strength; that upholding what is right and following what is true, they may obey Thy holy will and fulfill Thy divine purpose; through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mr. O'Shan of Laconia led the convention in the salute to the flag.

### Civil Air Patrol and Civil Defense Authorities' Demonstration

The Speaker introduced the following members of the Civil Air Patrol: Wing Commander, Lt. Col. Philip Labombarde; Wing Chaplain, Lt. Col. William Neal; Wing Air Inspector, Lt. Col. Denise Lucier; Wing Operations Officer, Lt. Col. Harry Rodd; Wing Personnel Officer, Capt. Dorothy Hazelton; Wing Public Information Officer, Maj. Rick Novo (in aircraft); Nashua Sqd. Commander, Capt. Conrad Lacaille; Liason Officer, Maj. Lucien Paquette (in aircraft); and also Admiral Brinkman (ret.), head of the N. H. Civil Defense, who presented a demonstration of the action and duties of the Civil Air Patrol and Civil Defense Authorities, presented by members of those organizations.

### Leave of Absence

Mrs. Bean of Webster was granted leave of absence for Tuesday and Wednesday on account of illness.

### Mother of the Year

Mrs. Chester W. Doe of Northwood, selected as mother of the year for the State of New Hampshire, was introduced to the House.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By Committee on Rules (Mr. Scamman of Stratham), House Bill No. 529, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1956. To the Committee on Appropriations.

By Committee on Rules (Mr. Scamman of Stratham), House Bill No. 530, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1957. To the Committee on Appropriations.

### Committee Reports

Mr. Beamis of Somersworth, for the Committee on Judiciary, to whom was referred Senate Bill No. 15, An Act relating to abatement procedures, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Dondero of Portsmouth, for the Committee on Judiciary, to whom was referred House Bill No. 131, An Act relative to false fire alarms, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by existing legislation.

The report was accepted and the resolution of the committee adopted.

Mr. Rathbone of Exeter, for the Committee on Judiciary, to whom was referred House Bill No. 176, An Act to authorize payroll deductions on account of association and/or union dues in the state service of the state of New Hampshire with approval of the governor and council and of employees of

subordinate jurisdictions of the state, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Frizzell of Charlestown, for the Committee on Judiciary, to whom was referred House Bill No. 416, An Act relative to insane persons, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Ayer of Pittsfield, for the Committee on Public Health, to whom was referred House Bill No. 54, An Act relative to marine toilets and disposal of sewage from boats, having considered the same, reported the same with the recommendation that the bill be referred to the 1957 Legislature.

The undersigned, a minority of the Committee on Public Health, to whom was referred House Bill No. 54, An Act relative to marine toilets and disposal of sewage from boats, having considered the same, and being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the definition of "Sewage" in section 1 of chapter 166-B as inserted by section 1 of the bill by striking out said definition and inserting in place thereof the following:

I. "Sewage" means all human body wastes.

Amend section 2 of said chapter 166-B by striking out said section and inserting in place thereof the following:

2. *Marine Toilets, Restrictions On.* After the effective date hereof no marine toilet on any boat operated upon waters of this state, shall be so constructed and operated as to discharge any inadequately treated sewage into said waters, directly or indirectly. No boat shall discharge from or through its marine toilet, or in any other manner, any inadequately treated sewage at any time into waters of this state, nor shall any container of inadequately treated sewage be placed, left, discharged or caused to be placed, left or discharged in or near any waters of this state by any person at any time



whether or not the owner, operator, guest or occupant of a boat.

Amend section 3 of said chapter 166-B by striking out said section and inserting in place thereof the following:

3. *Marine Toilets, Manner of Operation.* After the effective date hereof any marine toilet located on or within any boat operated on waters of this state shall have securely affixed to the interior discharge opening of such toilet a suitable treatment device constructed and fastened in accordance with regulations of the water pollution commission or some other treatment facility or method authorized by regulation of the water pollution commission. All sewage passing into or through such marine toilets shall pass solely through such devices.

Amend section 4 of said chapter 166-B by adding at the end thereof the words, unless said boat was used without permission of the owner, so that said section as amended shall read as follows:

4. *Penalty.* Whoever violates any of the provisions hereof or of regulations of the water pollution commission promulgated by authority hereof shall be fined not more than five hundred dollars or imprisoned for not more than one year or both, and such fine, if imposed, shall constitute a lien against the boat on which the offense was committed whether or not the defendant is also the registered owner or operator of said boat unless said boat was used without permission of the owner.

Amend section 7 of said chapter 166-B by striking out said section and inserting in place thereof the following:

7. *Suspension of Registration.* If, upon said inspection it shall appear that any marine toilet within or on a boat in operation on waters of this state is not adequately equipped with a treatment device within said boat and securely affixed to such toilet, the agent is directed to require from the owner, operator, or any person on board said boat production and surrender of its certificate of registration. Said member or agent shall then endorse in ink upon said certificate of registration a brief statement of the nature of the violation and shall forward it forthwith by mail or in person to the public utilities commission, where it shall be held by said commission

until receipt of written authority from the water pollution commission for its return, which authority shall include a statement that the specified violation has been remedied in accordance with the provision hereof and regulations of the water pollution commission promulgated hereunder.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect at such time as the water pollution commission shall have by regulation approved a suitable treatment device which is then found by it to be available for purchase and installation by the general public in this state and the said commission shall by regulation approve all subsequent treatment devices which it subsequently finds to be suitable whether or not manufactured by the original supplier, and nothing in this act shall be construed to permit the water pollution commission to confer upon any single manufacturer rights of monopoly but said devices may be manufactured by any competing concern and when subsequently approved by the water pollution commission shall themselves then be available for purchase and installation by the general public in this state. Provided however, that if no such device shall have been approved by the water pollution commission on or before July 1, 1957, this act shall not take effect and shall expire by its own terms. And provided further that before any regulation fixing a date hereunder shall become effective the commission shall publish said regulation on two successive days in a newspaper of general circulation throughout the state.

FRED GREEN,  
GUY E. NICKERSON,  
GEORGE AUGER,  
HOWARD W. KIRK,  
WILLIAM J. FITZGERALD,

*A Minority for the Committee.*

The reports were accepted.

Reading of the amendment having commenced on motion of Mr. Green of Rollinsford, further reading was dispensed with.

Mr. Green of Rollinsford moved that the bill with accompanying reports be recommitted.

The question being on motion to recommit.

(Discussion ensued)

Messrs. Green of Rollinsford, Lamprey of Moultonborough, Nickerson of East Kingston, Pillsbury of Manchester and Mrs. Funkhouser of Durham spoke in favor of the motion.

Messrs. Willis of Salem, Hart and Dana of Laconia, and Mesdames Ayer of Pittsfield and Miner of Meredith spoke against the motion.

On a *viva voce* vote the motion prevailed.

Mr. Pillsbury of Manchester called for a division.

A division being had, 192 members having voted in the affirmative, and 94 members having voted in the negative, the motion to recommit prevailed.

Mr. Green of Rollinsford, for the Committee on Public Health, to whom was referred Senate Bill No. 26, An Act relating to the registration of pharmacists, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Gamache of Manchester moved that the bill be recommit-  
mitted.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. Gamache of Manchester and Karkavelas of Dover spoke in favor of the motion.

Mr. Green of Rollinsford spoke against the motion.

Mr. Tobey of Hampton moved that the bill be indefinitely postponed.

The question being on the motion to indefinitely postpone.

(Discussion ensued)

Messrs. Tobey of Hampton, Clement of Rochester, Bradley of Hanover, Waling of Keene, Green of Rollinsford, Rainie of Concord, and Mrs. Ayer of Pittsfield spoke in favor of the motion.

Messrs. Malley of Somersworth, Pillsbury of Manchester, Spaulding of Hudson, and Skinner of Alton spoke against the motion.

On a *viva voce* vote the Chair was in doubt and called for a division.

A division being had, 174 members having voted in the affirmative, and 123 members having voted in the negative, the motion to indefinitely postpone prevailed.

Mr. Maxham of Concord, for the Committee on Public Welfare and State Institutions, to whom was referred Senate Bill No. 47, An Act relative to care and treatment of sexual psychopaths, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Flanagan of Dover, for the Special Committee consisting of the members from the city of Dover, to whom was referred House Bill No. 427, An Act relative to the ward lines of the wards of the city of Dover, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend that part of section 1 which refers to Ward 1 by striking out the same and inserting in place thereof the following:

Ward 1. The dividing lines between Wards 1 and 2 of said city shall hereafter be as follows: Commencing on the line of the town of Rollinsford on the old road leading from Garrison hill to South Berwick; thence by said road westerly by the nurses' home, so-called, of the Dover-Wentworth Hospital to the junction of said road with Central Avenue; thence southerly by the center of Central Avenue to the center of the bridge over Cocheco River; thence westerly in a direct line to the center of the river at the foot of Chestnut Street, and all of the territory in said city lying northerly of said above described line, and between said Cocheco River and the town lines of Rollinsford and Somersworth shall be included in and constitute Ward 1 in said city.

The report was accepted.

Mr. Moher of Dover moved that House Bill No. 427, An Act relative to the ward lines of the wards of the city of Dover, be made a special order of business for Tuesday, May 24, at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Messrs. Moher of Dover and Craig of Manchester spoke in favor of the motion.

Messrs. Flanagan, Karkavelas, Chase and Crandall of Dover and Rainie of Concord spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

### Special Order

Mr. Pickett of Keene called for the special order, it being House Joint Resolution No. 50, Joint Resolution relative to reconstruction of Brook road in the town of Lisbon.

The question being on the resolution of the committee, inexpedient to legislate.

Miss Collyer of Lisbon moved that the words "ought to pass" be substituted for the words "inexpedient to legislate."

The question being on the motion.

(Discussion ensued)

Miss Collyer of Lisbon spoke in favor of the motion.

Mr. Rogers of Laconia spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Miss Collyer of Lisbon called for a division.

A division being had and 25 members having voted in the affirmative, the Speaker declared the vote to be manifestly in the negative and the motion did not prevail.

Miss Collyer of Lisbon demanded the yeas and nays, and the roll was called with the following result:

### Yeas — 70

GRAFTON COUNTY: Stevenson, Sanborn, Bradley, Larty, Collyer, Gardner of Littleton, Martin, Frazer, Bell.

COOS COUNTY: Brungot, Fontaine, Gagnon, Hurlbert, Ross, Ferguson, Potter, Bushey, Converse, Phelan.

ROCKINGHAM COUNTY: Griffin of Auburn, Gay of Derry, Blair, Dondero, Payette, Travis, Willis, (Anna).



STRAFFORD COUNTY: Felker, Crandall, Stearns, Wentworth, St. Pierre, Studley.

BELKNAP COUNTY: McAllister, Metcalf.

CARROLL COUNTY: Roberts, Hayden.

MERRIMACK COUNTY: Davis of Concord, Shea of Concord, Corbett, Kenney, Charland, Dempsey Carpenter, Ayer of Pittsfield, Lovejoy.

HILLSBOROUGH COUNTY: Black, Herrick, Hambleton, Geisel, Smith of Manchester, Healy of Manchester, Ward 6, Auger, Lareau, Gauthier, Gamache, Ramsdell, Boire, Thibault of Nashua, Brosnahan, Shea of Nashua, Langelier.

CHESHIRE COUNTY: Pike, Spofford, Kirk, Wheeler, Brown of Keene, Pickett, Brown of Marlow, Bouvier.

SULLIVAN COUNTY: Howe.

#### Nays — 190

GRAFTON COUNTY: Ramsey, Pryor, Plumer, Willey, Clarke of Canaan, Holden, Chamberlain of Holderness, Adams, Cole, Townsend, Huckins, Barney, Sawyer.

COOS COUNTY: Dussault, Sheridan, Alls, Bishop, Cornelius, Baker, Stinson, Taylor.

ROCKINGHAM COUNTY: Dudley, Persson, Tenney, Shattuck, Fogg, Nickerson of East Kingston, Eastman of Exeter, Eldredge, Merrill, Rathbone, Jones of Fremont, Weeks of Greenland, Spollett, Hunter, Tobey, Thurlow, Battles, Parmenter, Cheney, Carter, Pinkham, Palmer, Murch, Joyce, Wardwell, Munz, Philbrick, Haigh, Willis (Howard), Pillsbury of Sandown, Felch, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Connell, Pearson, Flanagan, Funkhouser, Littlehale, Chadbourn, Clement of Rochester, Green, Brown of Strafford.

BELKNAP COUNTY: Skinner, Gardner of Gilford, Hart, Rogers, Simoneau, Tilton, Karagianis, Burbank, O'Shan, Dana, Varrell, Miner, Smith of Meredith, Urie, Atwood.

CARROLL COUNTY: Chandler, Downs, Stokes, Nickerson of Madison, Lamprey, Remick, Hodgdon, Weeks of Wolfeboro.

MERRIMACK COUNTY: Phelps, Ellsworth, Vaughn of Bow, Vogel, Stevens, Dowd, Henry, Lessels, Jewett, Rainie, Cilley, McKee, Mahoney of Concord, Nutter, Broadhurst, Burke, Mason, Mulaire, Davis of Hopkinton, Brown of Loudon, Milligan, Gay of New London, Wilman, Bigelow, Workman.

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Jones of Francestown, Jennings, Poore, Reed, Fortin, Hadley, Abbott, Latour, Spaulding, Lang of Manchester, Soucy of Manchester, Ward 1, Danforth, Pillsbury of Manchester, Dwyer, Betley, Healy of Manchester, Ward 5, Ecker, Craig, Cary, Morris, Bergeron, Schricker, Lesmerises, Deans, Falconer, Wadleigh, Peterson, Belcourt, Trombley, Maynard, Dionne of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grand-maison, Jean, Dumais, Locke, Aho, Dutton, Rice, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Burnham, Smith of Hinsdale, Perry, Haley, Bennett, Coddington, Faulkner, Carlton, Sherwin, Terrill, Lane, Lang of Troy, Rhodes, Billings, Ingham.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Bloomfield, Bissonett, Firestone, Davis of Cornish, Nelson of Goshen, Reney, Roe, Vaughan of Newport, Pierce, DeLude.

And less than two thirds of the elected members being present and less than two thirds of those present and voting having voted in the affirmative, the motion to substitute the words "ought to pass" did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 77, An Act providing that charitable corporations may establish common trust funds, having considered the same, reported the same, under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *Common Trust Funds.* Amend chapter 272 of the Revised Laws (chapter 292, RSA) by inserting after section 16, as inserted by chapter 88, Laws of 1955, the following new subdivision:

**Common Trust Funds**

17. *Charitable Corporations.*

Further amend said section 1 of said bill by renumbering the sections now numbered 15, 16 and 17 to read 18, 19 and 20, respectively.

Further amend said section 1 of said bill by striking out the figure "15" in the twenty-seventh line and inserting in place thereof the figure, 18.

On motion of Mr. Rainie of Concord the House voted to adopt the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 62, An Act relating to registration of motor boats and outboard motors, having considered the same, reported the same, under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1. *Motor Boats and Outboard Motors.* Amend section 15 of chapter 181 of the Revised Laws (section 17, chapter 270, RSA) by striking out said section and inserting in place thereof the

Amend section 2 of said bill by striking out the first line and inserting in place thereof the following:

2. *Violation of Chapter.* Amend section 16 of chapter 181 of the Revised Laws (section 18, chapter 270, RSA)

On motion of Mr. Rogers of Laconia the House voted to adopt the amendments proposed by the Committee on Engrossed Bills.

The bill was sent to the Senate for concurrence in the amendments.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions, sent up from the House of Representatives:

House Bill No. 9, An Act relating to abandoned iceboxes.

House Bill No. 110, An Act relative to agricultural vehicles and trucks.

House Bill No. 452, An Act relative to bread enrichment and oleomargarine.

House Bill No. 458, An Act relating to regular sessions of the Hillsborough county probate court.

House Bill No. 471, An Act establishing certain positions at the state hospital.

House Bill No. 478, An Act relative to board of veterinary examiners and qualifications for veterinary licenses.

House Bill No. 479, An Act requiring certificates to be filed by selectmen with tax commission to be used in determining average rate of taxation.

House Joint Resolution No. 23, Joint Resolution in favor of Augustus Glidden.

House Joint Resolution No. 37, Joint Resolution in favor of Harold A. Todd.

The message further announced that the Senate had refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 366, An Act providing for special fund for certain printing by planning and development commission.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 16, An Act relative to special sessions of probate courts.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 214, An Act relative to requirement of financial responsibility after judgment of court.

Amend the bill by adding after section 1 the following new section: 2. *Motor Vehicle Financial Responsibility*. Amend section 6 of chapter 76 of the Laws of 1955 by striking out said section and inserting in place thereof the following: 6. *Takes Effect*. The provisions of sections 1, 2 and 3 of this act shall take effect as of October 15, 1955. The remaining provisions of this act shall take effect upon its passage.

Further amend the bill by renumbering section 2 to read section 3.

On motion of Mr. Sleeper of Haverhill the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 413, An Act relative to the payment of motor vehicle road tolls by counties.

Amend said bill by adding after section 1 the following new section:

2. *Boats*. Amend chapter 22 of the Revised Laws by inserting after section 41 as inserted by section 4 of chapter 65 of the Laws of 1943 and as amended by section 1 of chapter 292 of the Laws of 1947 (chapter 265, RSA) the following new section: 42. *Reports*. Persons selling and delivering motor fuel into the fuel tanks, or supplementary fuel tanks, of boats or outboard motors shall make such reports with respect to such sales to the motor vehicle commissioner as the commissioner shall deem necessary for the administration of section 41 and shall by regulation prescribe. Any such person who shall fail to make a report so required shall be fined not more than one hundred dollars.

Further amend said bill by renumbering section 2 to read section 3.

On motion of Mr. Downs of Conway the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.



### Resolutions

Mr. Firestone of Claremont offered the following resolution:

*Whereas*, Mrs. Elizabeth Sherwin, wife of Harry Sherwin, Representative from Rindge, is ill in the hospital, therefore be it.

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, extend our sympathy to our fellow member on her illness and our best wishes for a speedy recovery, and be it further

*Resolved*, that a copy of these resolutions be transmitted by the Clerk to Representative Sherwin.

On a *viva voce* vote the resolution was adopted.

Mr. Bennett of Keene offered the following resolution:

*Whereas*, Walter J. Post, Representative from Chesterfield is ill in the hospital in Peterborough, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, extend our sympathy to our fellow member, and our best wishes for a speedy recovery, and be it further

*Resolved*, that the Clerk of the House, be instructed to transmit a copy of these resolutions to Representative Post at the Monadnock Community Hospital, Peterborough.

On a *viva voce* vote the resolution was adopted.

Mr. A. W. Simoneau of Laconia offered the following resolution:

*Whereas*, the members of the Belknap County Delegation of the House of Representatives, have learned with deep sorrow of the death of Joseph L. Boutin, Representative from Belmont, and

*Whereas*, we are fully mindful of the loyal and efficient service rendered by him to the State of New Hampshire and to the people of Belmont while serving as a member of the legislature, in this session and in the session of 1951. He also served his country in World War 1; he was a charter member and past commander of the Charles Kilborn Post, American Legion of Belmont, therefore be it

*Resolved*, that the House of Representatives in General Court convened extend its heartfelt sympathy to the family of our fellow member in their bereavement, and be it further

*Resolved*, that when the House of Representatives adjourns today, that it will adjourn in memory of the late Representative Joseph L. Boutin.

*Resolved*, that the Clerk transmit to his widow, Mrs. Annie E. Boutin, a copy of this resolution.

On a rising vote the resolution was unanimously adopted.

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time, and that third readings of bills be by their titles only, and that when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 416, An Act relative to insane persons.

House Bill No. 427, An Act relative to the ward lines of the city of Dover.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 15, An Act relating to abatement procedures.

Senate Bill No. 47, An Act relative to care and treatment of sexual psychopaths.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Roe of Newport at 2:18 o'clock the House adjourned.

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WEDNESDAY, MAY 18, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, the Father of all mankind, and whose Spirit is in the hearts of Thy children, speak to us today, and direct us in the way we should go. Reveal unto us our whole duty, and may that duty stand before us as a challenge. Since our

fellow citizens in the different towns and cities from whence we have come have entrusted us with responsibility, and "seeing that we are compassed about with so great a cloud of witnesses, let us lay aside every weight, and the sin that doth so easily beset us," and prove by our words and actions that we are faithful to the trust placed upon us. Our God, we beseech Thee to so manifest Thyself in our decisions that we may never swerve from the path of loyalty and what we sincerely believe to be the best interest of our State. We ask it in the Name of Christ. Amen.

### **Salute to the Flag**

Mr. Carr of Orford led the convention in the salute to the flag.

### **Leaves of Absence**

Messrs. Eldredge of Exeter and Rice of Peterborough were granted leave of absence for the day on account of illness.

Messrs. Pryor of Ashland and Deans of Milford were granted leave of absence for the day on account of important business.

### **Introduction of Bills**

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By the Committee on Rules (Mr. Simoneau of Laconia), House Joint Resolution No. 54, Joint Resolution in favor of the estate of Joseph L. Boutin. To the Committee on Appropriations.

By the Committee on Rules (Mr. Maloomian of Somersworth), House Bill No. 531, An Act relative to the salary of the associate justice of the Somersworth municipal court. To the Special Committee consisting of the Delegation from the city of Somersworth.

### **Printing Dispensed With**

Mr. Scamman of Stratham moved that the printing and reference to committee of House Joint Resolution No. 54, Joint Resolution in favor of the estate of Joseph L. Boutin, be dis-

pensed with and the resolution be put upon its third reading and final passage, by caption only, at the present time.

On a *viva voce* vote the motion prevailed.

House Joint Resolution No. 54, Joint Resolution in favor of the estate of Joseph L. Boutin, was read a third time and passed and sent to the Senate for concurrence.

### Committee Reports

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred House Bill No. 170, An Act creating a group life insurance program for state employees, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Vaughan of Newport, for the Committee on Education, to whom was referred House Bill No. 142 (In New Draft), An Act relative to employment, suspension and dismissal of teachers, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Holmes of Amherst, for the Committee on Judiciary, to whom was referred House Bill No. 179, An Act to authorize the establishment of a basic work week, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Colbath of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 277, An Act relative to the storing of explosives, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Repeal.* Sections 1, 2, 3, 4, 5, 6, 7, 8, 10, 13 and 14 of chapter 177 of the Revised Laws (sections 1, 2, 3, 4, 5, 6, 7, 8, 10, 13 and 14, chapter 158, RSA) are hereby repealed.

2. *Explosives.* Amend section 9 of chapter 177 of the Revised Laws (section 9, chapter 158, RSA) by striking out said section and inserting in place thereof the following:

9. *Possession of Explosives.* No person shall leave, deposit or have in his custody or possession in any building used in whole or in part as a dwelling house, tenement house, apartment building, office building, shop or store, or in or within five hundred feet of any building used in whole or in part as a school, theater, church, public building or other place of public assembly, any high explosive, such as and including dynamite, any explosive compound of which nitroglycerine forms a part, fulminate in bulk or dry condition, blasting caps, detonating fuses, black powder or other similar explosive, except as may be permitted by regulations issued pursuant to chapter 175-A of the Revised Laws, as inserted by chapter 251, Laws of 1947. Any person violating the provisions of this section shall be fined not more than five hundred dollars.

3. *Transportation.* Amend section 11 of chapter 177 of the Revised Laws (section 11, chapter 158, RSA) by inserting after the words "for hire" in lines 4 and 5 the words, by railroad or on the public waters of the state, so that said section as amended shall read as follows: 11. *With Passengers.* It shall be unlawful to transport, carry or convey, from one place to another in this state, any dynamite, gunpowder or other explosive on any vessel or vehicle of any description operated by a common carrier, which vessel or vehicle is carrying passengers for hire by railroad or on the public waters of the state; provided, that it shall be lawful to transport on any such vessel or vehicle small arms ammunition in any quantity, and such fuses, torpedoes, rockets or other signal devices as may be essential to promote safety in operation, and properly packed and marked samples of explosives for laboratory examination, not exceeding a net weight of one half pound each, and not exceeding twenty samples at one time in a single vessel or vehicle; but such samples shall not be carried in that part of a vessel or vehicle which is intended for transportation of passengers for hire. Nothing in this section shall prevent the transportation of military or naval forces with their accompanying munitions of war on passenger equipment vessels or vehicles.



4. *Public Utilities Commission.* Amend section 12 of chapter 177 of the Revised Laws, as amended by section 1, chapter 203, Laws of 1951 (section 12, chapter 158, RSA) by inserting after the word "carriers" in line 8 the words, by rail and water, and further amend by striking out the words "by land" in line 9, so that said section as amended shall read as follows: 12. *Regulations.* The public utilities commission shall formulate regulations for the safe transportation of explosives in accordance with the best known practicable means for securing safety in transit, covering the packing, marking, loading, handling while in transit and the precautions necessary to determine whether the material when offered is in proper condition to transport. Such regulations, and all changes or modifications thereof, shall take effect ninety days after their publication by said commission, and shall then be binding upon all common carriers by rail and water engaged in intrastate commerce.

5. *Exceptions.* Amend paragraph II of section 47 of chapter 119 of the Revised Laws (section 76, chapter 263, RSA) by striking out the same and inserting in place thereof the following: II. *Blasting Caps.* Detonators, blasting caps or other dangerous devices used to set off dynamite and other explosives shall not be carried in the same vehicle with said explosives except as follows: Blasting caps and electric blasting caps may be transported in the same motor vehicle with dynamite when the net weight of the dynamite does not exceed five thousand pounds, provided that such blasting caps are packed in an outside box made of one inch lumber lined with suitable padding material not less than one-half inch thick or in an outside box made of not less than twelve gauge sheet metal lined with plywood or other suitable material not less than three-eighths inches thick, so that no metal is exposed. Such boxes shall have hinged covers and fastening devices.

6. *Definition.* Amend section 1 of chapter 175-A of the Revised Laws, as inserted by chapter 251 of the Laws of 1947 (section 1, chapter 153, RSA) by adding at the end thereof the following new paragraph: VII. The word "explosives" shall mean any chemical compound, mixture or device, the primary or common purpose of which is to function by explosion, i.e., with substantially instantaneous release of gas or heat.

7. *Board of Fire Control.* Amend section 4 of chapter 175-A of the Revised Laws, as inserted by chapter 251 of the Laws of 1947 (section 4, chapter 153, RSA) by inserting after the word "matters" in line 6 the words, for supervising and enforcing all laws of the state relative to the storage, handling and transportation of explosives, so that said section as amended shall read as follows: 4. *Powers.* The board shall have vested therein the management, supervision and direction of the duties and responsibilities as provided herein, except as limited by existing law or laws. It shall be responsible for supervising and enforcing all laws of the state relative to the protection of life and property from fire, fire hazards and related matters, for supervising and enforcing all laws of the state relative to the storage, handling and transportation of explosives, and shall assist the several counties, cities, towns, village districts and precincts in supervising and enforcing local laws, by-laws and ordinances where existent, relative to (a) the prevention of fires; (b) the storage, sale and use of combustibles and explosives; (c) the installation and maintenance of automatic or other fire alarm systems and fire extinguishing equipment; (d) the construction, maintenance and regulation of fire escapes; (e) the means and adequacy of exit, in case of fire, from factories, asylums, hotels, hospitals, churches, schools, halls, theatres, amphitheatres, and all other places in which numbers of persons work, live or congregate from time to time for any purpose; and (f) the investigation of the cause, origin and circumstances of fires, and (g) the transportation, storage and physical handling of flammable liquids which such board believes dangerous to the lives or safety of the citizens of the state. It shall be the duty and responsibility of the board to coordinate the activities of its office with duly authorized city, town, and village district, fire and building department officials and other state and local agencies required and authorized by state statutes or local ordinances to develop or enforce fire safety regulations. It shall further be the duty and responsibility of the board to assist, cooperate with, advise and counsel the associate advisors in the organization and efficient operation of fire departments and other fire protection organizations.

8. *Requirement.* Amend section 5 of chapter 175-A of the Revised Laws, as inserted by chapter 251 of the Laws of

1947 and as amended by chapter 141 of the Laws of 1949 (section 4, chapter 153, RSA) by inserting in line 14 after the word "hazards" the words, and for the storage, handling and transportation of explosives, and further amend said section by adding at the end of said section the following: Such rules and regulations shall not apply to the storage, handling and transportation of explosives which conform to the laws of the United States or to regulations issued by any agency or administrative board of the United States. The application of such rules and regulations to installations, plants or equipment shall be limited to subsequent construction remodeling or replacement of installations, plants and equipment and shall not apply to existing installations, plants or equipment otherwise covered thereby unless the board of fire control shall find that the continuation thereof is inimical to the public welfare and safety and requires immediate correction, so that said section as amended shall read as follows: 5. *Rules and Regulations.* The board is also empowered to adopt and promulgate reasonable standard rules and regulations for the effective administration of the board, and to adopt and promulgate such reasonable standard rules and regulations to accomplish the intent and purposes of this chapter as it shall deem necessary, not inconsistent with the provisions hereof or any law of this state. Such rules and regulations shall be adopted only after public hearing, notice of which shall be published in a paper of general circulation in the state at least fifteen days before holding such hearing. The rules authorized hereunder shall be in accordance with established practicable means for securing safety to persons and property from fire or fire hazards, and for the storage, handling and transportation of explosives, and shall not be discriminatory in respect to persons engaged in like or similar businesses or industries. Notice containing a general statement of the contents of such rules and regulations adopted by the board shall be published at least twice in some newspaper of general circulation in the state, if their application is general, or in some newspaper of local circulation, if their application is local, as provided in section 12, together with information as to where the full text of such rules and regulations may be obtained by any person, and the board shall also give notice thereof by registered mail to each person interested therein who shall have registered with the board his

name and address with a request to be so notified, and such rules and regulations shall become effective upon such date subsequent to the published notice, and notice to interested persons, required hereunder as may be specified by the board therein. Such rules and regulations shall not apply to the storage, handling and transportation of explosives which conform to the laws of the United States or to regulations issued by any agency or administrative board of the United States. The application of such rules and regulations to installations, plants or equipment shall be limited to subsequent construction, remodeling or replacement or installation, plants and equipment and shall not apply to existing installations, plants or equipment otherwise covered thereby unless the board of fire control shall find that the continuation thereof is inimical to the public welfare and safety and requires immediate correction.

9. *Buildings and Premises.* Amend paragraph I of section 12 of chapter 175-A of the Revised Laws, as inserted by chapter 251 of the Laws of 1947 (section 14, chapter 153, RSA) by inserting in line 6 after the word "promulgate" the words, in addition to the rules and regulations which it shall adopt pursuant to section 5 of this chapter; further amend said paragraph by striking out the words "gun powder, dynamite" in line 9, and by striking out the words "torpedoes or any explosives of a like nature, or any other explosives, including fireworks and fire crackers" in lines 10, 11 and 12, so that said paragraph as amended shall read as follows: I. For cities, towns, village districts and precincts not having local laws and ordinances, and those cities, towns, village districts and precincts whose existent laws and ordinances do not afford the necessary fire safety measures, the board shall make and promulgate, in addition to the rules and regulations which it shall adopt pursuant to section 5 of this chapter, reasonable rules and regulations for the keeping, storage, use, manufacture, sale, handling, transportation or other disposition of highly flammable materials and rubbish, explosive or flammable fluids or compounds, tablets, and may prescribe the materials and construction of receptacles and buildings to be used for any of the said purposes. These rules shall apply to the construction or remodeling of buildings and plants for flammable liquids and shall apply to new installation of and replacement of



equipment for flammable liquids. These rules shall also apply to existing buildings, plants or equipment, which were not previously but are hereafter used for flammable liquids, but shall not apply to existing buildings, plants, structures or equipment now used for flammable liquids unless the state board shall determine the conditions constitute a fire hazard. These rules shall be adopted in conformity with the procedure set forth in section 5 and shall be subject to judicial review as provided in section 6. Any city, town, village district and precinct may adopt the rules and regulations of the board, by reference thereto, as a part of its local laws and ordinances.

10. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

Reading of the amendment having commenced, on motion of Mr. Faulkner of Keene further reading was dispensed with.

The question being on the amendment.

(Discussion ensued)

Mr. Faulkner of Keene spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Dondero of Portsmouth, for the Committee on Judiciary, to whom was referred House Bill No. 402, An Act relating to the taxation of the proceeds of life insurance, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 463, An Act providing for the election of public utilities commissioners, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.



Mr. Haley of Keene, for the Committee on Labor, to whom was referred House Bill No. 486, An Act relative to painting on construction work, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Labor, to whom was referred House Bill No. 486, An Act relative to painting on construction work, having considered the same, and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

RITA COLLYER,  
JOSEPH J. COMI,  
E. J. INGRAHAM,  
JOHN H. CALLAHAN,  
THEODORE E. KENNEY,

*A Minority of the Committee.*

The reports were accepted.

Mr. Angus of Claremont rose to state that the report of the minority was withdrawn at the request of the signers of that report.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mrs. Christiansen of Berlin, for the Committee on Ways and Means, to whom was referred House Bill No. 163, An Act relating to taxation of life insurance companies, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Smith of Manchester, for the Special Committee consisting of the delegation from the city of Manchester, to whom was referred House Bill No. 497, An Act establishing a charter for the city of Manchester, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned, a minority of the Special Committee

consisting of the delegation from the city of Manchester to whom was referred House Bill No. 497, An Act establishing a charter for the city of Manchester, having considered the same, and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

GEORGE L. LAVOIE,  
PAUL M. LAFOND,  
ORIGENE E. LESMERISES,  
ALBERT N. DION,  
JOHN PILLSBURY,  
LORENZO GAUTHIER,  
LUCIEN J. GELINAS,  
OTTO SCHRICKER, SR.,  
WALTER G. BOISVERT,  
CHARLES LECLERC,  
WILLIBERT GAMACHE,

*For the Minority of the Committee.*

The reports were accepted.

Mr. Lesmerises of Manchester moved that the report of the minority be substituted for that of the majority.

The question being on the motion.

(Discussion ensued)

Mr. Lesmerises of Manchester spoke in favor of the motion.

Mr. Ecker of Manchester moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Ecker, Mahony, Geisel, Donnelly and Healy, Ward 6, of Manchester spoke in favor of the motion.

Messrs. Lavoie and Dion of Manchester spoke against the motion.

On a *viva voce* vote the motion prevailed.

Mr. Lavoie of Manchester demanded the yeas and nays, but subsequently withdrew his demand.

### **Report of Committee on Engrossed Bills**

Mrs. Hayden of Ossipee, for the Committee on Engrossed Bills, reported that they had examined and found correctly

engrossed the following entitled Senate and House Bills and House joint resolution:

House Bill No. 431, An Act relating to tax exemption for institutions, societies and corporations not organized, incorporated, conducted, or operated principally for the benefit of New Hampshire residents.

House Joint Resolution No. 24, Joint Resolution in favor of Ada T. Lansdowne.

Senate Bill No. 16, An Act relative to special sessions of probate courts.

Senate Bill No. 81, An Act relative to the charter of the Plymouth Guaranty Savings Bank.

House Bill No. 88, An Act relative to penalty for failure to surrender motor vehicle license, registration or number plate upon demand and relative to special number plates.

House Bill No. 110, An Act relative to agricultural vehicles and trucks.

House Bill No. 120, An Act relating to holidays.

House Bill No. 138, An Act relative to forest fire protection and appointment of wardens.

House Bill No. 192, An Act providing for a study of the manner of apportioning the cost of construction and maintenance of highway and railroad underpasses and overpasses.

House Bill No. 209, An Act relating to school superintendents in the state employees retirement system.

House Bill No. 254, An Act relative to a report of birth.

House Bill No. 383, An Act relative to the distribution of property to legatees, distributees or beneficiaries outside the United States.

House Bill No. 428, An Act relative to the powers of the credit committee of, and sale of checks by, credit unions.

House Bill No. 439, An Act relative to Alexander Cemetery Association.

House Bill No. 452, An Act relative to bread enrichment and oleomargarine.

House Bill No. 458, An Act relating to regular sessions of the Hillsborough county probate court.

House Bill No. 471, An Act establishing certain positions at the state hospital.

House Bill No. 478, An Act relative to board of veterinary examiners and qualifications for veterinary licenses.

House Bill No. 479, An Act requiring certificates to be filed by selectmen with tax commission to be used in determining average rate of taxation.

House Bill No. 501, An Act relative to mileage allowances for members of the general court who work on non-legislative days.

House Joint Resolution No. 23, Joint Resolution in favor of Augustus Glidden.

House Joint Resolution No. 32, Joint Resolution in favor of Alex E. Demers.

House Joint Resolution No. 37, Joint Resolution in favor of Harold A. Todd.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 9, An Act relating to abandoned iceboxes.

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1. *Nuisance.* Amend chapter 165 of the Revised Laws (chapter 147, RSA) by inserting after section 36 as inserted by chapter 297, Laws of 1949 the following new section: 37. *Negligence.*

On motion of Mrs. Studley of Rochester, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 341, An Act relative to payment of tuition of high school pupils.

Amend section 1 of the bill by striking out all of the sentence following the word "academy" in line 12 and inserting in

place thereof the following: Except under contract as provided in section 21, the liability of any school district hereunder for the tuition of any pupil shall be limited to the state average cost per pupil of the current expenses of operation of all public high schools, as estimated by the State Board of Education for the preceding school year, or the current expenses of operation of the receiving district for its high school, as estimated by the State Board of Education for the preceding school year, whichever is less, so that said section as amended shall read as follows: 1. *High Schools.* Amend section 26 of chapter 138 of the Revised Laws, as amended by section 2, chapter 139, Laws of 1949 (section 27 of chapter 194 R S A) by striking out said section and inserting in place thereof the following: 26. *Tuition.* Any district not maintaining a high school or school of corresponding grade shall pay for the tuition of any pupil who with parents or guardian resides in said district or who, as a resident of said district, after full investigation by the state board of education is determined to be entitled to have his tuition paid by the district where he resides, and who attends an approved public high school or public school of corresponding grade in another district or an approved public academy. Except under contract as provided in section 21, the liability of any school hereunder for the tuition of any pupil shall be limited to the state average cost per pupil of the current expenses of operation of all public high schools, as estimated by the State Board of Education for the preceding school year, or the current expenses of operation of the receiving district for its high school, as estimated by the State Board of Education for the preceding school year, whichever is less. This current expense of operation shall include all costs except capital outlay and debt obligations, provided that to the above may be added a rental charge of two per cent of the capital cost of such secondary school facilities as may be defined by the state board of education.

On motion of Mr. Ford of Wolfeboro, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate voted to



accede to the request of the House of Representatives for a Committee of Conference on:

House Bill No. 249, An Act relative to the New Hampshire shore and beach preservation commission.

Pursuant to the above, the President appointed as members of the committee on the part of the Senate, Senator Adams, District No. 22, and Senator Merrill, District No. 23.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill and joint resolution sent up from the House of Representatives:

House Bill No. 431, An Act relating to tax exemption for institutions, societies, and corporations not organized, incorporated, conducted, or operated principally for the benefit of New Hampshire residents.

House Joint Resolution No. 24, Joint Resolution in favor of Ada T. Lansdowne.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 88, An Act relative to the formation of railroad corporations.

Senate Bill No. 91, An Act relative to trustees of trust funds of the city of Portsmouth.

Senate Bill No. 100, An Act relative to capital reserve funds of the city of Nashua.

### **Senate Bills Read and Referred**

The following Senate bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Senator Ainsworth of District No. 8, Senate Bill No. 88, An Act relative to the formation of railroad corporations. To the Committee on Executive Departments and Administration.

By Senator Foote of District No. 24, Senate Bill No. 91, An Act relative to trustees of trust funds of the city of Portsmouth. To the delegation composed of the members of the city of Portsmouth.

By Senator Paquette of District No. 13 and Senator Colburn of District No. 12, Senate Bill No. 100, An Act relative to capital reserve funds of the city of Nashua. To the Delegation composed of the members from the city of Nashua.

### Resolutions

Mrs. Hayward of Hanover offered the following resolution:

*Whereas*, the members of the New Hampshire House of Representatives, have learned with deep sorrow of the death of Representative Edith P. Atkins from Hanover, and

*Whereas*, we are fully mindful of the loyal and efficient service rendered by her to the State of New Hampshire and to the people of Hanover while serving as a member of the legislature in this session and in previous sessions, therefore be it further

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature extend our heartfelt sympathy to her son, Kenneth K. Atkins and family in their bereavement, and be it further

*Resolved*, that when the House of Representatives adjourns today, that it adjourn in memory of the late Representative Edith P. Atkins, and be it further

*Resolved*, that the Clerk send a floral spray for her funeral and transmit a copy of these resolutions to her son, Kenneth K. Atkins.

On a rising vote the resolution was unanimously adopted.

### Delegation Appointed To Attend Mrs. Atkins' Funeral

Mesdames St. Pierre of Rochester, Studley of Rochester, Taylor of Whitefield, Hayden of Ossipee, Dustin of Rochester, Griffin of Auburn, Hayward of Hanover, Holmes of Amherst, Frizzell of Charlestown, Bailey of Newport and DeLude of Unity.

Messrs. Bradley and Holden of Hanover and Adams, Ashley, Cole, Jones, Perley and Townsend of Lebanon.

Mrs. Dondero of Portsmouth offered the following resolution:

*Whereas*, the sons and daughters of the State of New

Hampshire have served their country in the armed services with a valor which is a credit to our state, and

*Whereas*, many of them have made the supreme sacrifice that our national freedom may be preserved, therefore be it

*Resolved*, that the House of Representatives hereby memorializes our Senators and Representatives in the Congress of the United States to use their influence wherever possible to name the air base at Portsmouth, the "Portsmouth Air Base" in honor of those citizens of New Hampshire who have served so valiantly in all branches and in all wars in which the United States has been involved, and be it further

*Resolved*, that the Clerk of the House of Representatives transmit a copy of these resolutions to each member of Congress, from New Hampshire, and to the Secretary of Defense and the Secretary for Air.

The resolution was referred to the Committee on Military and Veterans' Affairs.

### Concurrent Resolution

Messrs. Angus of Claremont and Pickett of Keene offered the following concurrent resolution:

*Whereas*, Governor Lane Dwinell has invited Dwight D. Eisenhower, President of the United States, to visit the state of New Hampshire, therefore be it

*Resolved by the House of Representatives, the Senate concurring*, That the General Court of New Hampshire extend to

*Resolved by the House of Representatives, the Senate concurring*, That the General Court of New Hampshire extend to President Dwight D. Eisenhower a cordial invitation to address that body at a time when it is agreeable to him.

On a *viva voce* vote the concurrent resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time, and that third readings of bills be by their titles only, and that when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Bill No. 142 (In New Draft), An Act relative to employment, suspension, and dismissal of teachers.

House Bill No. 277, An Act relative to storing of explosives.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Saltmarsh of Concord at 12:44 o'clock the House adjourned.

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#### THURSDAY, MAY 19, 1955

The House met at 11:00 o'clock.

Prayer was offered by guest chaplain, the Rev. Mr. Francis E. Potter, Minister of the South Congregational Church of Concord.

Almighty God, who art the King of kings and Lord of lords, and from whom proceed all power and dominion in heaven and upon the earth, we beseech Thee to look with favor upon Thy servants, the President of the United States, the Governor of this State and all others in authority. Imbue them with the spirit of wisdom and humility before Thee; and so rule their hearts and bless their endeavors, that law and order, justice and peace may everywhere prevail. And keep us mindful at all times, our Father, that only that which is done in accordance with Thy Will shall stand and that all compromises with Thy truth shall most certainly fail. Hear this, our morning prayer; in the name of Jesus Christ. Amen.

#### Salute to the Flag

Mrs. Hurlbert of Errol led the convention in the salute to the flag.

#### Leaves of Absence

Messrs. Ellsworth of Boscawen, Mason of Hill, Tobey of Hampton, and Spaulding of Hudson were granted leaves of absence for the day on account of important business.

Mr. Eldredge of Exeter was granted leave of absence for the week on account of illness.

#### Introduction of Joint Resolution

The following joint resolution was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Joint Resolution No. 55 (Mr. Angus of Claremont), Joint Resolution relating to the "Actuarial Study Report." To the Committee on Appropriations.

### Order Vacated

On motion of Mr. Angus of Claremont the rules of the House were so far suspended as to dispense with the printing and reference to committee of House Joint Resolution No. 55, Joint Resolution relating to the "Actuarial Study Report," and the joint resolution ordered put upon third reading and final passage, by caption only, at the present time.

### Third Reading

House Joint Resolution No. 55, Joint Resolution relating to the "Actuarial Study Report."

Read a third time and passed, and sent to the Senate for concurrence.

### Committee Reports

Mrs. Millar of Claremont, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 125, An Act repealing a certain appropriation for the so-called children's study home, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee, "inexpedient to legislate."

Mr. Pillsbury of Manchester moved that the words "ought to pass" be substituted for the words, inexpedient to legislate.

The question being on the motion.

(Discussion ensued)

Messrs. Pillsbury of Manchester, and Soucy of Manchester, Ward 1, spoke in favor of the motion.

Mrs. Millar of Claremont, and Messrs. Scamman of Strat-ham, and Pickett of Keene spoke against the motion.

On a *viva voce* vote the Chair was in doubt.

Mr. Pillsbury of Manchester called for a division. A division being had, 197 members having voted in the affirma-



tive, and 103 members having voted in the negative, the motion to substitute the words "ought to pass" prevailed.

Mr. Pillsbury of Manchester moved that the bill be referred to the Committee on Appropriations.

On a *viva voce* vote the motion prevailed.

### Special Order

Mr. Pickett of Keene moved that the remainder of the Calendar for Thursday, May 19, be made a special order of business for Tuesday, May 24 at 11:01 o'clock.

On a *viva voce* vote the motion prevailed.

On motion of Mr. Pickett of Keene the House adjourned from the morning session.

### Afternoon

On motion of Mr. Pickett of Keene the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time and when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

On motion of Mrs. Wentworth of Madbury at 12:16 o'clock the House adjourned.

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### TUESDAY, MAY 24, 1955

The House met at 11:00 o'clock.

Prayer was offered by guest Chaplain, Reverend Father John J. Foley, pastor of St. Catherine's Parish, Manchester, N. H.

O God, we begin our day in Your holy presence, acknowledging your greatness and power in establishing this universe, particularly in the creation of man, and recognizing your infinite wisdom in making laws for the government of the world and the direction of man. Your laws in the natural order are immutable, eternal. These men must obey or suffer for their violation. Your laws in the moral order are for man's peace of mind and for his eternal happiness. These men must freely observe and one day see their record in the scales of eternity. You have bestowed your authority on others to make other necessary laws based on your own eternal law. These are re-

quired for the common good and for man's temporal welfare. Man must in conscience respect them and one day give an accounting of his observance of them.

Gathered here, O Lord, are those to whom you have given authority to make these necessary laws — His Excellency, the Governor of New Hampshire, and the duly elected representatives of its people. They have a great responsibility. They must study Your Law and the need and form of new legislation, and finally enact laws that will be to Your honor and glory and will promote our temporal welfare so that all of us in New Hampshire may serve You, Our Country and Our State better.

O God, from You all good things come. Give then to these devoted law-makers to know and to see under your inspiration the things that are right and best and to be able by your strength to realize them in legislation for the peace, the prosperity and the happiness of the noble citizens of our State of New Hampshire.

### **Salute to the Flag**

Mr. Chadbourn of Lee led the convention in the salute to the flag.

### **Leaves of Absence**

Messrs. Howe of Claremont and Ellsworth of Boscawen were granted leaves of absence for the week on account of important business.

### **Introduction of Bills**

The following bills were severally introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By the Committee on Rules (Mr. Faulkner of Keene), House Bill No. 532, An Act to provide for cumulative pocket supplements to Revised Statutes Annotated. To the Committee on Appropriations.

By the Committee on Rules (Mrs. Hayward of Hanover). House Joint Resolution No. 56, Joint Resolution in favor of the estate of Edith P. Atkins. To the Committee on Appropriations.

### Order Vacated

On motion of Mr. Scamman of Stratham the rules were so far suspended as to dispense with the printing, reference to committee of House Joint Resolution No. 56, Joint Resolution in favor of the estate of Edith P. Atkins, and that it be put upon its third reading and final passage, by caption, at the present time.

### Third Reading

House Joint Resolution No. 56, Joint Resolution in favor of the estate of Edith P. Atkins.

Read a third time and passed, and sent to the Senate for concurrence.

### Committee Reports

Mr. Corey of Manchester, for the Committee on Education, to whom was referred House Bill No. 161, An Act relative to state aid to education, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by pending legislation.

The report was accepted and the resolution of the committee adopted.

Mr. Talbot of Orange, for the Committee on Education, to whom was referred House Bill No. 262, An Act to assist needy school districts and improve education, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by pending legislation.

The report was accepted and the resolution of the committee adopted.

Mr. Vaughan of Newport, for the Committee on Education, to whom was referred Senate Bill No. 11, An Act relative to education of children placed in homes for children, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 51 of chapter 137 of the Revised Laws, as inserted by section 1 of the bill, by adding at the end thereof the words, provided, however, that if the placement in a home

for children of a child not then domiciled in this state was made by any state, county or town officials of New Hampshire charged with public welfare functions or by any child-placing agency licensed in this state, then the parents or guardian of such child shall be solely liable for said tuition. The commissioner of public welfare and the New Hampshire Children's Aid Society shall be exempt from the liability imposed upon guardians hereunder, so that said section as amended shall read as follows:

51. *Right of Attendance: Tuition.* Whenever any child is placed and cared for in any home for children, such child, if of school age, shall be entitled to attend the public schools in the school district in which said home is located, unless such placement was solely for the purpose of enabling a child residing outside said district to attend the schools thereof. If any such child was domiciled in another school district of this state at the time of its placement in any home for children, the school district in which said child then had its domicile shall be liable for the tuition of said child, not exceeding the state average cost per pupil of the current expenses of operation for the preceding school year of the receiving district for its elementary or secondary schools, determined in the manner provided in Revised Laws, chapter 137, section 3-a, and chapter 138, section 26. In case such placement in any home for children results from a transfer or successive transfers of any child from one or more other homes for children, the district in which said child had its domicile at the time when it was placed in the first of said other homes for children shall be liable for said tuition. If such child was not domiciled in this state when so placed, the home for children, together with the parents or the guardian of such child, shall be jointly and severally liable for said tuition, to be recovered in an action of case, provided, however, that if the placement in a home for children of a child not then domiciled in this state was made by any state, county or town officials of New Hampshire charged with public welfare functions or by any child-placing agency licensed in this state, then the parents or guardian of such child shall be solely liable for said tuition. The commissioner of public welfare and the New Hampshire Children's Aid Society shall be exempt from the liability imposed upon guardians hereunder. Amend section 2 of the bill by striking out the words and

figures "as of July 1, 1955" and inserting in place thereof the word and figures, July 1, 1956, so that said section as amended shall read as follows:

2. *Takes Effect.* This act shall take effect July 1, 1956.

The report was accepted.

Reading of the amendment having commenced on motion of Mr. Vaughan of Newport, further reading was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Craig of Manchester, for the Committee on Judiciary, to whom was referred House Bill No. 236, An Act relative to parents' liability to children, having considered the same, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 236, An Act relative to parents' liability to children, having considered the same, and being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

JAMES C. RATHBONE,  
*A Minority of the Committee.*

The reports were accepted.

Mr. Rathbone of Exeter moved that the report of the minority be substituted for that of the majority.

The question being on the motion.

(Discussion ensued)

Messrs. Rathbone of Exeter, Deans of Milford, Carr of Orford, Rainie of Concord, and Faulkner of Keene spoke in favor of the motion.

Mr. Craig of Manchester and Mrs. Brungot of Berlin spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.



The question being on the motion to substitute the minority report for that of the majority.

On a *viva voce* vote the motion prevailed.

The question being on the resolution of the committee, that it is inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Faulkner of Keene, for the Committee on Judiciary, to whom was referred Senate Bill No. 52, An Act relative to increasing certain penalties, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 195 (In New Draft), An Act to provide for the giving of security by owners and operators of aircraft involved in accidents and to provide for administration thereof, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend paragraph (d) of section 14 of chapter 306-A as inserted by section 1 of the bill by striking out the word "or" in the second line and inserting in place thereof the word, and, so that said paragraph as amended shall read as follows:

(d) Any owner or operator wilfully failing to return his registrations as required in section 13 shall be guilty of a misdemeanor and upon conviction shall be fined not more than five hundred dollars, or imprisoned not to exceed thirty days, or both.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Frizzell of Charlestown, for the Committee on Judiciary, to whom was referred House Bill No. 355, An Act relating to the assessment of the expenses of the public utilities commission against certain public utilities, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred Senate Bill No. 72, An Act relating to publication of report of audit, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. Amend chapter 82 of the Revised Laws by inserting after section 27 the following new section: 27-a. *Publication of Report of Audit.* A written or printed report of every completed audit shall be made to the proper local officials including a summary of the findings and recommendations of the auditors and a copy of such summary shall be published in the next annual report following the fiscal year in which the audit was completed. If, in the opinion of the selectmen, school board, county or village district commissioners the whole report of audit should be published the same may be published. If such summary of findings and recommendations is not so published the tax commission, at the expense of the county, city, town or district affected thereby, may cause such summary to be separately published and distributed or published in a newspaper having a general circulation in said county, city, town or district.

Further amend the bill by adding a new section as follows:

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Perley of Lebanon spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Rogers of Laconia, for the Committee on Public Works, to whom was referred House Joint Resolution No. 49, Joint Resolution relative to a road in Fitzwilliam, having considered the same, reported the same with the following amend-

ment, and the recommendation that the joint resolution as amended ought to pass.

Amend the caption of said resolution by adding at the end thereof the words, and providing for a study of access highways to state reservations, so that said caption as amended shall read:

Relative to a road in Fitzwilliam and providing for a study of access highways to state reservations.

Amend the resolution by striking out the words "twenty-three" in the first line and inserting in place thereof the word, ten, and by adding at the end thereof the words, The department of public works and highways is hereby authorized to cause a study to be made of roads to state reservations, parks and forests for the purpose of providing suitable access thereto from the nearest presently improved highways. Said department shall make a report of its study hereunder to the 1957 session of the legislature, together with estimates of costs of construction and future maintenance of such access highways to state reservations, so that said joint resolution as amended shall read as follows:

That the sum of ten thousand dollars is hereby appropriated to be expended by the department of public works and highways for the construction of the highway from Bemis Corner to Rhododendron State Reservation in the town of Fitzwilliam, provided that the town of Fitzwilliam appropriates the sum of two thousand dollars for the same purpose. The sum hereby appropriated by the state shall be a charge on the highway funds. The said road after construction shall be classified as Class V highway. The department of public works and highways is hereby authorized to cause a study to be made of roads to state reservations, parks and forests for the purpose of providing suitable access thereto from the nearest presently improved highways. Said department shall make a report of its study hereunder to the 1957 session of the legislature, together with estimates of costs of construction and future maintenance of such access highways to state reservations.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations, under the rules.

Mr. Rogers of Laconia, for the Committee on Public Works, to whom was referred Senate Bill No. 83, An Act relative to Colby Junior College Highway and Sutton road, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out section 1 and inserting in place thereof the following: 1. *Repeal.* Chapter 11 of the laws of 1953 is hereby repealed.

Further amend the bill by striking out section 2 and re-numbering section 3 to read section 2.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred Senate Bill No. 76, An Act relative to assessment of damages and basis of liability for change of grade in construction or maintenance of highways in towns, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Reney of Grantham, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 401, An Act to change the method of appointment of members of the New Hampshire commissioners of the Northeastern Forest Fire Commission, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Fontaine of Berlin, for the Committee on Resources, Recreation and Development, to whom was referred House Joint Resolution No. 4, Joint Resolution relative to a study of multiple-use of the Lake Massabesic Region, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by inserting in the third line after the word "Auburn" the words, and the city of Manchester. Further amend the joint resolution by adding at the end there-

of the words, The council shall report its findings and recommendations to the Legislature of 1957, so that said joint resolution as amended shall read as follows:

That the New Hampshire council on resources and development is hereby directed to make a study of the feasibility and cost of multiple-use of the Lake Massabesic Region in the town of Auburn and the city of Manchester. For the purpose of providing funds for the study hereby authorized, the sum of twenty-five hundred dollars is hereby appropriated to be spent by the council. The governor is hereby authorized to draw his warrant for the sum hereby appropriated from any funds in the treasury not otherwise appropriated. The council shall report its findings and recommendations to the Legislature of 1957.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations, under the rules.

Mr. Gay of Derry, for the Committee on Ways and Means, to whom was referred House Bill No. 40, An Act providing for an income tax, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

### **Special Order**

Mr. Pickett of Keene called for the Special Order, it being the committee reports listed for Thursday, May 19.

### **Committee Reports**

Mr. Rogers of Laconia, for the Committee on Public Works, to whom was referred House Bill No. 362, An Act relative to preservation of Boar's Head, having considered the same, reported the same in new draft and with a new title, with the recommendation that the bill in its new draft and with its new title be recommitted to the Committee on Public Works.

The report was accepted and the recommendation of the committee adopted.

### **Introduction of a Bill**

House Bill No. 362 (in new draft and with new title), An Act relative to dredging Hampton Harbor, protection of shore



at Boar's Head in the town of Hampton and a study of Hampton and a study of seacoast erosion problems, was introduced, read a first and second time, laid upon the table to be printed, and referred to the Committee on Public Works.

Mr. Davis of Hopkinton, for the Committee on Agriculture, to whom was referred House Bill No. 513, An Act relative to fees for inspections and sealing of weighing and measuring devices, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations, under the rules.

Mr. Malley of Somersworth, for the Committee on Appropriations, to whom was referred House Bill No. 13, An Act relative to mileage for members of the legislature, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Crandall of Dover moved that the words "ought to pass" be substituted for "inexpedient to legislate."

The question being on the motion to substitute.

(Discussion ensued)

Mr. Crandall of Dover spoke in favor of the motion.

Mr. Cilley of Concord moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Cilley of Concord, Scamman of Stratham, Clement of Rochester, and Nelson of Goshen spoke in favor of the motion.

Messrs. Perley of Lebanon and Gardner of Littleton, and Mesdames Brungot of Berlin and Dondero of Portsmouth spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion did not prevail.

The question being on the motion to substitute the words "ought to pass."

On a *viva voce* vote the motion prevailed.

Mr. Cilley of Concord demanded the yeas and nays and the roll was called with the following result:

### Yeas—222

MERRIMACK COUNTY: Baron, Dowd, Ferrin, Henry, Hancock, Shea of Concord, Lessels, Corbett, Mahoney of Concord, Comi, Nutter, Burke, Charland, Dempsey, Carpenter, Mason, DuDevoir, Mulaire, Brown of Loudon, Gay of New London, Wilman, Thibeault of Pembroke.

HILLSBOROUGH COUNTY: Herrick, Jones of Francestown, Fortin, Latour, Spaulding, Lang of Manchester, Pettigrew, Danforth, Geisel, Mahony of Manchester, Robb, Dwyer, Hayes, Horan, Sullivan, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Callahan, Casey, Clancy, Ecker, Healy of Manchester, Ward 6, Slowey, Corey, Paradis, Tessier, Craig, Delisle, Langlois, Lavoie, Constant, Cary, Morris, Auger, Bergeron, Kearns, Schricker, Alexander, Hurley, Lareau, Martel, Soucy of Manchester, Ward 12, Vaillancourt, Dion of Manchester, Gauthier, Gelinas, Lafond, Lesmerises, Cannon, Donnelly, Gamache, Boire, Thibault of Nashua, Belcourt, Trombley, Ayers of Nashua, Brosnahan, Maynard, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Langelier, Bouthillier, Dumais, Aho, Dutton, Rice, Bardol.

CHESHIRE COUNTY: Thomas, Haley, Kirk, Bennett, Brown of Keene, Pickett, Brown of Marlow, Terrill, Bouvier, Lang of Troy, Ballam, Billings.

SULLIVAN COUNTY: Bloomfield, Bissonett, Marcotte, Stone, Bailey, Roe, Vaughan of Newport, Pierce, Gamsby.

GRAFTON COUNTY: Ramsey, Pryor, Stevenson, Willey, Clarke of Canaan, Chamberlain of Holderness, Ashley, Jones of Lebanon, Perley, Collyer, Gardner of Littleton, Carr, Huckins, Barney, Sawyer.

COOS COUNTY: Dussault, Fortier, Roy, Russell, Sheridan, Brungot, Christainsen, Bouchard, Fontaine, Gagnon, Rines,

Alls, Ross, Ferguson, Cornelius, Potter, Bushey, Charbonneau, Phelan, Baker, Stinson.

ROCKINGHAM COUNTY: Persson, Fogg, Clarke of Derry, Nickerson of East Kingston, Eldredge, Jones of Fremont, Labranche, Sewall, Carter, Pinkham, Barrett, Dondero, Payette, Sadler, Murch, Quirk, Travis, Joyce, Wardwell, Ingraham, Haigh, Willis (Anna), Willis (Howard), Felch.

STRAFFORD COUNTY: Chase, Moher, Karkavelas, Desjardins, Felker, Webb, Crandall, Flanagan, Littlehale, Stearns, Mros, Chadbourn, Wentworth, Evans, Rolfe, Dustin, Nadeau, Lacasse, St. Pierre, Maloomian, Letourneau, Cormier, Brown of Strafford.

BELKNAP COUNTY: Skinner, McAllister, Gardner of Gilford, Hart, Morin, Simoneau, Karagianis, O'Shan, Dana, Varrell, Smith of Meredith, Metcalf.

CARROLL COUNTY: Chandler, Benson, Downs, Roberts, Hayden, Ford, Weeks of Wolfeboro.

### Nays—132

MERRIMACK COUNTY: Phelps, Vaughn of Bow, Vogel, Stevens, Davis of Concord, Colbath, Jewett, Rainie, Cilley, McKee, Walker, Anderson, Broadhurst, Davis of Hopkinton, Milligan, Ayer of Pittsfield, Lovejoy, Bigelow, Bean, Workman.

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Black, Farwell, Hambleton, Jennings, Poore, Reed, Hadley, Goodwin, Abbott, Boisvert, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Buckley, Cummings, Peterson, Ramsdell, Saunders, Pappagianis, Locke, Willard, Eastman of Weare.

CHESHIRE COUNTY: Pike, Smith of Hinsdale, McCullough, Perry, Spofford, Wheeler, Coddington, Faulkner, Waling, Carlton, Sherwin, Lane, Rhodes, Ingham, Thompson.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Firestone, Millar, Davis of Cornish, Nelson of Goshen, Reney, Rowell.

GRAFTON COUNTY: Plumer, Sanborn, Bradley, Hayward, Holden, Clement of Landaff, Adams, Cole, Townsend, Kelley, Martin, Frazer, Talbot, Bell.

COOS COUNTY: Hurlbert, Bishop, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Tenney, Shattuck, Barka, Bisbee, Gay of Derry, Blair, Eastman of Exeter, Merrill, Rathbone, Weeks of Greenland, Spollett, Hunter, Tobey, Thurlow, Battles, Parmenter, McCaffery, Cheney, Palmer, Munz, Philbrick, Pillsbury of Sandown, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Pearson, Funkhouser, Studley, Clement of Rochester, Estes, Green, Beamis, Malley.

BELKNAP COUNTY: Robertson, Rogers, Tilton, Ballentine, Urie, Atwood.

CARROLL COUNTY: Nickerson of Madison, Lamprey, Remick, Hodgdon.

And the bill was ordered to a third reading.

Mr. Pickett of Keene moved that the rules be so far suspended as to permit the third reading and final passage, by title only, of House Bill No. 13, An Act relative to mileage for members of the legislature, at the present time.

On a *viva voce* vote the motion prevailed.

### Third Reading

House Bill No. 13, An Act relative to mileage for members of the legislature.

Read a third time and passed and sent to the Senate for concurrence.

### Reconsideration

Mr. Spaulding of Hudson moved that the House reconsider its vote whereby it passed House Bill No. 13, An Act relative to mileage for members of the legislature.

On a *viva voce* vote the motion did not prevail.

### Personal Privilege

Mr. Buckley of Mont Vernon rose to a point of personal privilege and stated that he voted against House Bill No. 13 and would not accept any increase in his mileage allowance.

(Mr. Pickett of Keene in Chair)

Mr. Pillsbury of Manchester, for the Committee on Appro-

priations, to whom was referred House Bill No. 53, An Act relative to highway appropriations, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the words "and shall not lapse" in the eighth line and inserting in place thereof the words, until July 1, 1959, and shall not lapse prior to that date, so that said section as amended shall read as follows:

1. *Construction, Reconstruction, and Betterment of Highways.* The balance of highway appropriation and bonds therefor, authorized by sections 4 and 5 of chapter 83 of the Laws of 1951, being in the amount of four million dollars, having lapsed under general law, prior to being used as authorized, there is hereby appropriated said sum of four million dollars to be used for the purposes set forth in said chapter 83. Laws of 1951. The appropriation made under this section shall be a continuing appropriation until July 1, 1959, and shall not lapse prior to that date.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 174, An Act providing funds for highway improvement, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the words "and shall not lapse" in the eighth line and inserting in place thereof the words, until July 1, 1959, and shall not lapse prior to that date, so that said section as amended shall read as follows:

1. *Appropriation.* The sum of two million five hundred thousand dollars is hereby appropriated for the construction, reconstruction and betterment of Class I, Class II, Class IV and Class V highways and also to supplement the regular highway income for all authorized highway expenditures. The sum so appropriated shall be expended under the direction of the commissioner of public works and highways. Said appro-



priation shall be a continuing appropriation until July 1, 1959, and shall not lapse prior to that date.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Sheridan of Berlin, for the Committee on Appropriations, to whom was referred House Bill No. 397, An Act to establish a comfort station at North Beach in Hampton, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Recreational Fund.* The appropriation provided by section 1 shall be a charge upon the state recreational fund established by section 19-a of chapter 234, Revised Laws, as inserted by section 8, chapter 240, Laws of 1951, as amended by section 8, chapter 254, Laws of 1953 (section 20, chapter 219, RSA).

Further amend said bill by striking out sections 3 to 6, inclusive, and by renumbering section 7 to read section 3.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Hodgdon of Tuftonboro, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 14, Joint Resolution in favor of the town of Stratford, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Roe of Newport, for the Committee on Education, to whom was referred House Bill No. 335, An Act to change the fees for the licenses and permits of practical nurses, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Metcalf of Tilton, for the Committee on Executive

Departments and Administration, to whom was referred House Bill No. 483, An Act legalizing the proceedings of the Campton Village Precinct meeting held on March 29, 1955, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

(Speaker in Chair)

Mr. Colbath of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 63, An Act to prevent malicious delay of fire alarms, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Brown of Loudon moved to substitute the words "ought to pass" for the words inexpedient to legislate.

(Discussion ensued)

Mr. Brown of Loudon spoke in favor of the motion.

Mr. Faulkner of Keene moved that the bill be recommitted to the Committee on Judiciary.

The question being on the motion.

(Discussion ensued)

Messrs. Faulkner and Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Angus of Claremont for the Special Committee consisting of the Delegation from the city of Claremont, to whom was referred House Bill No. 447, An Act amending the charter of the city of Claremont, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Danforth of Manchester, for the Special Committee consisting of the members from the county of Hillsborough, to whom was referred House Bill No. 307, An Act to increase the salary of the Hillsborough county commissioners, having considered the same, reported the same with the following amend-

ment, and the recommendation that the bill as amended ought to pass.

Amend the title by striking out said title and inserting in place thereof the following:

An act to increase the salaries of the county commissioners, the county sheriff and the county solicitor of Hillsborough County.

Amend the bill by inserting after section 1 the following new section:

2. *Hillsborough County Sheriff.* Amend section 27, chapter 380, Revised Laws, as amended by chapter 195, Laws of 1943, chapter 189, Laws of 1945, section 2, chapter 2, Laws of 1947, section 3, chapter 202, Laws of 1947, section 1, chapter 256, Laws of 1947, chapter 291, Laws of 1947, and section 3, chapter 235, Laws of 1953, (section 29, chapter 104 R S A) by striking out the words, "In Hillsborough, two thousand four hundred dollars" and inserting in place thereof the words, In Hillsborough, two thousand six hundred dollars, so that said section as amended shall read as follows: 27. *Salaries.* The annual salaries of the sheriffs of the several counties shall be as follows:

In Rockingham, fifteen hundred dollars.

In Strafford, one thousand dollars.

In Belknap, thirteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, two thousand six hundred dollars

In Cheshire, fifteen hundred dollars.

In Sullivan, eight hundred dollars.

In Grafton, twelve hundred and fifty dollars.

In Coos, eighteen hundred dollars.

3. *Hillsborough County Solicitor.* Amend section 20 of chapter 24 of the Revised Laws as amended by chapters 40 and 136, Laws of 1943, by chapters 2, 27, 202, 213, 242, 263, 268, and 270 of the Laws of 1947, chapter 183, Laws of 1949, and by chapter 108, 122 and 179 of the Laws of 1953 (section 35, chapter 7, R S A) by striking out the words "In Hillsborough, thirty-three hundred dollars" and inserting in place thereof the words, In Hillsborough, thirty-eight hundred dollars, so that said sec-

tion as amended shall read as follows: 20. *Salaries.* The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, twenty-two hundred dollars.

In Strafford, eighteen hundred dollars.

In Belknap, fifteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, thirty-eight hundred dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, fifteen hundred dollars.

In Grafton, twenty-four hundred dollars.

In Coos, eighteen hundred dollars.

Further amend the bill by renumbering section 2 to read section 4.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Danforth of Manchester spoke in favor of the amendment.

Mr. Eastman of Weare offered the following amendment.

Amend section 1 of said bill by striking out the words "four thousand" where they occur and inserting in place thereof the words, three thousand seven hundred and fifty, so that said section as amended shall read as follows:

1. *Hillsborough County.* Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, by chapters 66 and 163 of the Laws of 1945, by chapters 202 and 284 of the Laws of 1947, by chapters 73 and 162 of the Laws of 1949, chapters 149 and 233, Laws of 1951, and chapters 90 and 123, Laws of 1953, by striking out the words "thirty-five hundred" and inserting in place thereof the words, three thousand seven hundred and fifty, so that said section, as amended, shall read as follows: 27. *Commissioners.* The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, eighteen hundred dollars.

In Strafford, twelve hundred dollars.

In Belknap, twelve hundred dollars.

In Merrimack, fifteen hundred dollars.

In Hillsborough, three thousand seven hundred and fifty dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, twelve hundred dollars.

In Grafton, twelve hundred dollars.

In Coos, fifteen hundred dollars.

In Carroll county each commissioner, when employed in the business of the county, shall receive ten dollars a day payable as hereinbefore provided. To the foregoing sums shall be added, in all the counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

The question being on the amendment to the amendment.

(Discussion ensued)

Messrs. Eastman of Weare, Wadleigh of Milford, Papagianis of Nashua, Peaslee of Merrimack, Mesdames Goodwin of Hollis, Holmes of Amherst spoke in favor of the amendment to the amendment.

Messrs. Spaulding of Hudson, Carey, Lavoie, Gamache, Mahoney and Kearns of Manchester spoke against the amendment.

On a *viva voce* vote the amendment to the amendment was not adopted.

Mr. Wadleigh of Milford called for a division.

A division being held, 117 members having voted in the affirmative, and 112 members having voted in the negative, the amendment to the amendment was adopted.

The question being on the amendment as amended.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

### Report of Committee on Engrossed Bills

Mrs. Palmer of Plaistow, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate and House bills and House joint resolutions:

House Bill No. 9, An Act relating to abandoned iceboxes.

Senate Bill No. 62, An Act relating to registration of motor boats and outboard motors.



Senate Bill No. 77, An Act providing that charitable corporations may establish common trust funds.

House Joint Resolution No. 54, Joint Resolution in favor of the estate of Joseph L. Boutin.

Senate Bill No. 15, An Act relating to abatement procedures.

Senate Bill No. 47, An Act relative to the care and treatment of sexual psychopaths.

House Bill No. 214, An Act relative to requirement of financial responsibility after judgment of court.

House Bill No. 218, An Act relative to the posting of land.

House Bill No. 341, An Act relative to payment of tuition of high school pupils.

House Bill No. 499, An Act to increase the borrowing power of the Goffstown Village Precinct and legalize the proceedings of its annual meeting of March 15, 1955.

House Joint Resolution No. 55, Joint Resolution relating to the "Actuarial Study Report."

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 358, An Act relative to fees for business, voluntary and foreign corporations.

Amend section 13 of the bill by striking out the entire section and inserting in place thereof the following: 13. *Effective Date.* This act shall take effect upon its passage.

On motion of Mr. Ingham of Winchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 503, An Act relative to funds for development of the port of Portsmouth.

Amend section 1 of said bill by inserting after the words "Revised Laws" the following: as inserted by section 2, chap-

ter 220, Laws of 1953 (section 11, chapter 12, RSA) so that said section as amended shall read as follows:

1. *Funds Extended.* The appropriation provided for by section 43-b of chapter 27 of the Revised Laws, as inserted by section 2, chapter 220, Laws of 1953 (section 11, chapter 12, RSA) to be expended under the direction of the planning and development commission shall be a continuing appropriation and shall not lapse.

On motion of Mr. Scamman of Stratham, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 311, An Act relative to the construction of a dormitory for women at the University of New Hampshire, and to be liquidated from income.

Amend section 3 of the bill by striking out in line 9 the word "earlier" and inserting in place thereof the word "later." Further amend said section by inserting after the word "be" in line twelve the following words: "signed by the Treasurer and," so that said section shall read as follows:

3. *State Bonds or Notes.* The governor, upon receipt of a request from the board of trustees of the university, and by and with the consent of the council, may direct the state treasurer to borrow upon the faith and credit of the state a sum not exceeding three hundred twelve thousand, five hundred dollars for the purpose of carrying into effect the provisions of this act, and for said purpose may issue bonds in the name and on behalf of the state at a rate of interest to be determined by the governor and council. The maturity dates of such bonds shall be determined by the governor and council, but in no case shall they be later than twenty years from the date of issue. The bonds shall be in such form and denomination as the governor and council shall determine, may be registerable as to both principal and interest, shall be signed by the Treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time of countersigning, the date of delivery to the state treasurer and the date of maturity. The

state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

On motion of Mr. Vaughan of Newport, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 215, An Act relative to the posting of land adjacent to woodlands.

Amend section 2 of the bill by striking out the second sentence.

Further amend section 2 by striking out the last sentence and inserting in place thereof the following new sentence: Nothing herein contained shall prevent any owner from adding to the language herein required such additional warning words as "children," "inhabited house nearby," "livestock," etc.

On motion of Mr. Clement of Landaff, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 140, An Act relating to the New Hampshire Veterans' Association.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *New Hampshire Veterans' Association.* Amend section 2 of chapter 161, Laws of 1881, as amended by chapter 270, Laws of 1921 and by chapter 331, Laws of 1925, by inserting after the word "exceeding" in the fourth line the words, one hundred and, so that said section as amended shall read as follows: Sect. 2. Said corporation may purchase, take, and hold by deed, lease, gift, devise, or otherwise, real and personal estate for the purposes of said corporation to an amount not exceeding one hundred and fifty thousand dollars, and may improve, use, sell, lease, and convey, or otherwise dispose of the same at pleasure.

On motion of Mr. Spaulding of Hudson, the House non-concurred in the adoption of the amendments sent down from the Honorable Senate, and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House, Messrs. Chase of Dover, Spaulding of Hudson, and Moher of Dover.

House Bill No. 449, An Act relative to insertion of names of veterans on checklists.

Amend section 1 of the bill by striking out in line 8 the words "veteran or a" so that said section as amended shall read as follows: 1. *Checklists.* Amend section 16 of chapter 32 of the Revised Laws, as amended by section 5, chapter 81, Laws of 1943 (section 18, chapter 55, RSA) by striking out said section and inserting in place thereof the following: 16. *Conclusiveness of List.* All persons whose names are entered upon the checklist as thus corrected shall be deemed to be legal voters in the town; and no person whose name is not upon the list shall be allowed to vote, unless it clearly appears that the name of said person has been omitted from said list by clerical error or mistake, or where the person is a serviceman on leave by reason of such service was not in the town or city of his legal residence at the time of the last session of the supervisors, and then only by vote of the majority of the board.

On motion of Mr. Chase of Dover, the House non-concurred in the adoption of the amendments sent down from the Honorable Senate, and asked for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House, Messrs. Chase of Dover, Wheeler of Keene and Chadbourn of Lee.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolutions:

*Whereas*, Governor Lane Dwinell has invited Dwight D. Eisenhower, President of the United States, to visit the state of New Hampshire, therefore be it

*Resolved* by the House of Representatives, the Senate concurring, That the General Court of New Hampshire extend

to President Dwight D. Eisenhower a cordial invitation to address that body at a time when it is agreeable to him.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 218, An Act relative to the posting of land.

House Bill No. 499, An Act to increase the borrowing power of the Goffstown Village Precinct and legalize the proceedings of its annual meeting of March 15, 1955.

House Joint Resolution No. 55, Joint Resolution relating to the "Actuarial Study Report."

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following joint resolution sent up from the House of Representatives:

House Joint Resolution No. 54, Joint Resolution in favor of the estate of Joseph L. Boutin.

The message also announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

Senate Bill No. 62, An Act relating to registration of motor boats and outboard motors.

Senate Bill No. 77, An Act providing that charitable corporations may establish common trust funds.

### Resolutions

Mr. Casey of Manchester offered the following resolution:

*Whereas*, Governor Mennen Williams of Michigan will be in the state on Wednesday, June 15th, 1955, therefore be it

*Resolved*, that Governor Williams be invited to address a joint session of the House of Representatives and Senate on that date or at a date convenient to him, and be it further

*Resolved* that a copy of these resolutions be transmitted to Governor Williams by the Clerk of the House.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow business in order at 3:00 o'clock to



be in order at the present time, and that third readings of bills be by their titles only, and that when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 53, An Act relative to highway appropriations.

House Bill No. 174, An Act providing funds for highway improvement.

House Bill No. 195 (In New Draft), An Act to provide for the giving of security by owners and operators of aircraft involved in accidents and to provide for administration thereof.

House Bill No. 307, An Act to increase the salary of the Hillsborough county commissioners.

House Bill No. 335, An Act to change the fees for the licenses and permits of practical nurses.

House Bill No. 355, An Act relating to the assessment of the expenses of the public utilities commission against certain public utilities.

House Bill No. 397, An Act to establish a comfort station at North Beach in Hampton.

House Bill No. 401, An Act to change the method of appointment of members of the New Hampshire commissioners of the Northeastern Forest Fire Commission.

House Bill No. 447, An Act amending the charter of the city of Claremont.

House Bill No. 483, An Act legalizing the proceedings of the Campton Village Precinct meeting held on March 29, 1955.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 11, An Act relative to education of children placed in homes for children.

Senate Bill No. 72, An Act relating to publication of report of audit.

Senate Bill No. 83, An Act relative to Colby Junior College Highway and Sutton road.

Severally read a third time and passed and sent to the Senate for concurrence in the amendments.

Senate Bill No. 52, An Act relative to increasing certain penalties.

Senate Bill No. 76, An Act relative to assessment of

damages and basis of liability for change of grade in construction or maintenance of highways in towns.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Brungot of Berlin at 2:45 o'clock the House adjourned.

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## WEDNESDAY, MAY 25, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God our heavenly Father to Whom we have often prayed in the words: "Thy will be done on earth as it is in heaven," help us to fully appreciate the part we play in the manifestation of Thy will on earth. Show us what Thy will is that we may make it our will. We would not be blind followers of Thee or mere automations in Thy hands, and such we realize Thou would not have us. Thou God of heaven and earth, fully realizing that there can be none of the hatred, jealousy, and greed in heaven (if so it would not be heaven), that we so frequently experience here on earth, help us to so far make our wills conform to that Holy Will that governs heaven, that we may bring some of the peace, justice, love, and mercy of that heaven, to the earth in which we live. Through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mr. Spofford of Jaffrey led the convention in the salute to the flag.

### Leaves of Absence

Mr. Jones of Fremont was granted leave of absence for the day on account of important business.

### Introduction of a Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By the Committee on Rules (Mr. Young of Pittsfield), House Bill No. 533, An Act to establish a new apportionment for the assessment of public taxes. To the Committee on Judiciary.

### Committee Reports

Mr. Billings of Westmoreland, for the Committee on Appropriations, to whom was referred House Bill No. 172, An Act relative to mileage rate for state employees using private cars, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Crandall of Dover moved that the words "ought to pass" be substituted for those of inexpedient to legislate.

The question being on the motion.

(Discussion ensued)

Messrs. Crandall of Dover and Spaulding of Hudson and Mesdames Brungot of Berlin and Dondero of Portsmouth spoke in favor of the motion.

Messrs. Scamman of Stratham and Cole of Lebanon spoke against the motion.

On a *viva voce* vote the motion prevailed.

Mr. Scamman of Stratham called for a division.

A division being had, 231 members having voted in the affirmative and 101 members having voted in the negative, the motion to substitute the words "ought to pass" prevailed.

Mr. Crandall of Dover offered the following amendment:

Amend the bill by striking out paragraph 1 and inserting in place thereof the following:

1. *State Employees.* State employees using private cars in the conduct of official business shall be reimbursed for mileage at the rate of seven cents per mile.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 477, An

Act relating to the working capital, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

The Committee on Appropriations, to whom was referred Senate Bill No. 35, An Act to provide for the publication and distribution of the Revised Statutes Annotated of the State of New Hampshire, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Distribution of Revised Statutes Annotated.* The secretary of state is hereby authorized to distribute official bound copies of the Revised Statutes Annotated free of charge in the following manner: One copy to each of the following officers and bodies: the governor, the president of the senate, the speaker of the house, each justice and clerk of the supreme and superior courts, each court of probate, the clerk of the supreme court of the United States, each judge of the circuit court of the United States for this district, the district court of the United States for this district, the United States department of justice, the New Hampshire Historical Society, the secretary of state, the state treasurer, and the comptroller; four copies to the state library for its use and seven copies to the office of the attorney general.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Metcalf of Tilton, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 50, An Act relative to orders for delinquent children and the jurisdiction of municipal courts, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of the bill by striking out in the twentieth and twenty-first lines the words "in a case involving misdemeanors, and shall, in a case involving more serious offenses"; further amend by inserting after the word "may" in the thirty-fourth line the words, with the consent of the

Director of Mental Health or the Mental Health Commission; further amend by inserting after the word "may" in the forty-ninth line the words, with the consent of the Commission, so that said section as amended shall read as follows:

1. *Neglected and Delinquent Children.* Amend section 14 of chapter 132 of the Revised Laws as amended by section 5, chapter 279 of the Laws of 1947, (section 17, chapter 169, RSA) by striking out said section and inserting in place thereof the following: 14. *Orders for Physical and Mental Treatment.* If it is alleged in any complaint or it appears at any time during the progress of the case that a neglected or delinquent child is in need for physical treatment, the failure to receive which is a contributing cause of neglect or delinquency, due notice of that fact shall be given as provided in section 4. If the court, upon hearing, finds that such treatment is reasonably required, he shall order the parent, guardian or custodian of the child to provide it. If this order is not obeyed within a reasonable time, the court shall require such treatment to be provided at the expense of the town in which the child resides, and recovery of the expenses thereby incurred shall be had from the person or persons chargeable by law for the child's necessities. Upon like terms and subject to like payment, the court may order mental treatment for a neglected child. Any court finding that a juvenile is delinquent may, before making disposition of the case as provided in section 13, order such delinquent to be taken for examination to the nearest mental hygiene clinic, that is served by the commission of mental health. If at the clinic the juvenile delinquent shall not appear to present a case for further mental study and treatment, the commission of mental health shall report to the court that fact and such other findings as may be pertinent, and the court shall dispose of the case as provided in section 13. If the juvenile shall appear to present a case for further study and treatment that fact shall be reported by the said commission to the court, and if the court finds that fact to be true, upon hearing and after notice as provided in section 4, the court may with the consent of the Director of Mental Health or the Mental Health Commission commit the juvenile to the children's study home for such further study, treatment and care. All transportation charges for juveniles in connection with their examination and study shall be paid in the same



manner as provided for in connection with physical treatment, and the commission may recover for their study, treatment and care from the person or persons chargeable by law for the child's necessities. When the officers of the home are prepared to make a final report upon a juvenile committed by a court to the home, they shall transmit the report, in behalf of the commission, to the court. Such report shall contain all pertinent data as to the child's mental condition and the prognosis of the case and such other data as may be of aid to the court. The court may thereupon make such order for the disposition of the case as is authorized by section 13. If occasion appears, the court, after such order is made, may with the consent of the Commission, recommit the child to the home for further study, treatment and care and may thereafter modify the order disposing of the child as justice and the welfare of the child and society require, provided that such modification be within the scope of the authority conferred by section 13. All reports received by the court under this section shall be a part of the records of the court.

Further amend the bill by striking out section 2 and re-numbering section 3 to read section 2.

The report was accepted.

Reading of the amendment having commenced, on motion of Mr. Rainie of Concord further reading was dispensed with.

The question being on the amendment.

(Discussion ensued)

Mr. Rainie of Concord spoke in favor of the motion.

Mr. Pillsbury of Manchester moved that the bill be laid upon the table for printing of the amendment under Rule No. 48.

On a *viva voce* vote the motion prevailed.

Mr. Lavoie of Manchester, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 59, An Act relating to indebtedness of the city of Manchester, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ecker of Manchester, for the Committee on Executive

Departments and Administration, to whom was referred Senate Bill No. 82, An Act to amend the charter of the Cheshire County Savings Bank, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Anderson of Concord, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 297, An Act making certain records relative to race meets available to the public, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out said section and inserting in place thereof the following:

1. *Horse Racing.* Amend chapter 171 of the Revised Laws (chapter 284, RSA) by inserting after section 10 the following new section: 10-a. All information in the possession of the commission shall be available to the public.

The report was accepted.

The question being on the amendment.

Messrs. Gardner of Littleton and Gamsby of Sunapee raised the question on the whereabouts of a minority report.

Mr. Rainie of Concord rose to explain the report of the Committee on Executive Departments and Administration on House Bill No. 297.

### **Personal Privilege**

Mr. Soucy of Manchester, Ward 1, rose on a point of personal privilege to speak on his right to file a minority report from his committee.

The Speaker exercised his right to speak on a matter of privilege, which concerned the whereabouts of the alleged missing minority report.

### **Speaker's Ruling**

Right of member to file minority report.

Right of Speaker to delete a report.

The situation arises on a request for information as to the whereabouts of a minority report which was not read at

the time the majority report was read. The facts show that an attempt was made to file a report by a minority of the committee. Investigation by the Speaker disclosed that it was not filed in conformance with the "rules suggested for committees." The Speaker thereupon struck the report of the minority from the calendar, this action occurring when the calendar for that day was being compiled by the Clerk.

The request for information raised two questions: first, the right of a member to file a minority report; and, second, the right of the Speaker to delete a report from the calendar.

As to the first proposition, the Manual of the General Court of 1955 provides a set of "Suggested Rules for the Procedure of Legislative Committees for the Guidance of Committee Chairmen." The Chair finds that such were adopted by the Committee in question.

Pertinent to this issue is section 12, of the suggested rules, entitled "Minority Reports." The first part of this section says: "If there is a minority report, it should be prepared and submitted to the Clerk of the committee by the minority members, and filed with the Clerk of the House at the same time the majority report is submitted." (Mason — Legislative Manual, Page 473, Section 677, Paragraph 2). The Chair finds that discussion did ensue in the committee over the filing of a report by a minority, and that the best view of this evidence shows that a minority intended to file a report. However, the evidence also shows that while the majority report was filed on a Thursday, the minority report was not filed until the following Tuesday. There is no evidence to show that a minority report was prepared and submitted to the Clerk of the Committee or that she ever saw it on Thursday when the majority report was filed. In fact, there is evidence to the contrary. It is plain, therefore, that the rules were not complied with.

Minority reports are allowed as a matter of courtesy and not as a matter of right. (Mason's Legislative Manual — P. 472, Section 677, Paragraph 1). Undoubtedly this thinking is based on the philosophy that the majority view should control. But where there is an express provision allowing such to be done, then the courtesy becomes more in the nature of a right. The "suggested rules" referred to above support this view. It, then, may be said that the members have a qualified right to

file minority reports, said rules being adopted for the protection of the minority.

But in so doing they should adhere to the rules for filing them. Some latitude may be given in applying these rules because of their permissible acceptance by a committee, but if it becomes too great, then the reason for the rule ceases to exist, and the rules are of no value. (See Mason's Manual of Legislative Procedure, Section 677).

Delivery of the proposed minority report to the Clerk of the committee serves as due notice to the majority that the intention to do so has become a fact, that the majority shall not be caught by surprise in debate when confronted by the report of the minority, that its filing together with the majority report with the Clerk of the House expresses all the action that all members of the committee intend to take, and makes more easy the determining of a date when the bill is to be reported in for action. Hence, too much grace cannot be given where such provisions are violated, without doing an injustice to the orderly process of legislation.

In ruling out a report thus submitted, it is proper to inquire whether the rights of the member so interested have been violated or taken away arbitrarily, for, after all, it is the duty of the Chair to protect all the rights of all members. The member still has the right to ask the House to recommit the Bill in order that he might file his report properly, he has the right to ask for the introduction of a minority report not previously advertised, he has the right to offer an amendment to the Bill, he has the right to substitute a different recommendation than the committee reported — all these through motions properly presented. There are undoubtedly other methods of protecting his rights, but these are a few which he may exercise. (Mason — *ibid.* — P. 473, Section 677, Paragraph 4, for example). It follows that the action of the Chair did not take away any substantial rights from the member.

As to the second question raised — the right of the Speaker to alter the Calendar. It is generally accepted that the Chair is clothed with great and sweeping powers over the operations of its House. But it is also true that much of it is spelled out in the Rules. Rule 2 (under the general division of "The Duty of the Speaker") provides that he "shall decide questions of order." In its broadest concept this means that he

may rule on whether the parliamentary and/or floor action is proper, and consistent with the established practices and rules of the body. It necessarily includes the right to pass on the propriety of the committee reports.

These reports come within his purview every time he sets up the Calendar; and whenever it is brought to his attention that there is any irregularity in the reporting, he should exercise his discretion and judgment in determining what is to be done about the irregularity. To permit otherwise might lead to collateral issues being raised on the floor which might prolong unnecessarily the debate or hinder its expedient conclusion.

This right to change the Calendar can best be demonstrated by referring to the clause "and the report is accepted," which is lastly stated by the Chair every time a report is read. Why is this done? Simply, that acting for the House, and in his capacity as the one who determines and preserves order, he has ascertained for the House that the formalities and mechanics of presenting reports have been complied with.

In matters of graver import he has recourse to the Rules Committee, one of whose tasks is to "operate the House Calendar." (See Duty of Rules Committee, House Rule 35). Obviously, this is not a matter which falls in that category since it is not part of the "operation" of the Calendar but merely preparation for its operation. This power to alter the Calendar must remain in the hands of the Speaker — for expediency, efficiency and ease of legislating.

Mr. Pillsbury of Manchester moved that the bill, with accompanying report, be recommitted.

The question being on the motion to recommit.

(Discussion ensued)

Messrs. Spaulding of Hudson and Angus of Claremont and Mrs. Brungot of Berlin spoke in favor of the motion.

Mrs. Dondero of Portsmouth, on information and parliamentary inquiry, asked the Speaker to rule now or at a later date on the propriety of using members' names in debate.

The Speaker ruled immediately on this question.



### Speaker's Ruling

Use of members' names in debate.

The situation is based on the use of members' names during debate. Although the alleged violation is not frequent, it is of sufficient occurrence to induce a member to request information and a parliamentary ruling on the same.

The general rule is that the name of a member should not be used in debate. Where it is permitted, it is used only for the purposes of identification. In small bodies, this rule is strictly enforced, but in larger ones, digressions are allowed from the general principle. (Mason — Manual of Legislative Procedure — section 124, P. 2).

In this House where there are several members from one city and even from one ward in the same city, there should never be any doubt as to which of these several members who have spoken on a Bill, is referred to in a debate. It is entirely possible for a member to refer to another by his seat and division number. It is entirely possible for a member to be referred to by the number in the order in which he spoke, such as "the second member from X Town who spoke," etc. (Roberts — section 43). A strict parliamentarian would demand that such be done. However, some leeway should be granted in ordinary debate especially where the violation has not become the rule. It is completely out of order in any event to call a member by his first name at any time. That practice is condemned by all authorities.

Mr. Burgess of Manchester moved that the bill be made a Special Order of business for Thursday, June 2, at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Mr. Pickett of Keene spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the motion to recommit.

Mr. Waling of Keene moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Mr. Waling of Keene spoke in favor of the motion.

Mr. Burgess of Manchester spoke against the motion, and moved that the list of the stockholders of the N. H. Jockey Club be printed in the Journal. The Speaker refused to entertain the motion.

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Lamprey of Moultonborough asked if a vote of yes on indefinite postponement at this time precluded further debate on this question.

### Speaker's Ruling

#### Rule 26

The situation arose after a report of a committee had been read. The question was on the adoption of the amendment offered by the committee. It was then moved that further consideration of the bill and amendment be indefinitely postponed.

The parliamentary inquiry was "does a vote 'yes' on indefinite postponement at this time preclude further debate on this question?" To this inquiry the Chair must answer yes, once the time for reconsideration has passed. It is a settled rule that once a question has been indefinitely postponed it is a matter which passes from the files of the body. The subject matter of the Bill thus cannot reappear during that session.

Rule 26 of the House Rules states that "when a question is postponed indefinitely, the same shall not be acted upon during the session except by unanimous consent." It has long been discussed just what the word "question" relates to. The great weight of authorities indicates that a question is the parliamentary form or device by which a proposition is presented to the House for debate, amendment and the determination of what its opinion or judgment may be upon that particular matter. (See Ruling of Speaker at Page 451 of the Journal of 1953 which follows a long line of decisions both here and in the National Congress.) Such being the rule and its interpretations, it follows that a vote "yes" on the motion to indefinitely postpone unequivocally precludes further debate on the question, unless by unanimous consent, the House permits such to be done. (See Rule 26).

Mr. Burgess of Manchester demanded the yeas and nays and the roll was called with the following result:

**Yeas—210**

**HILLSBOROUGH COUNTY:** Wiggin, Black, Jones of Frances-town, Fortin, Spaulding, Lang of Manchester, Pettigrew, Soucy of Manchester, Ward 1, Danforth, Geisel, Mahony of Manchester, Pillsbury of Manchester, Robb, Dwyer, Hayes, Horan, Sullivan, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Callahan, Clancy, Ecker, Healy of Manchester, Ward 6, Slowey, Corey, Delisle, Constant, Cary, Morris, Auger, Schricker, Alexander, Boisvert, Hurley, Lareau, Martel, Soucy of Manchester, Ward 12, Vaillancourt, Gauthier, Gelinas, Lesmerises, Cannon, Donnelly, Peaslee of Merrimack, Peterson, Ramsdell, Boire, Thibault of Nashua, Trombley, Brosnahan, Maynard, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Jean, Langelier, Bouthillier, Dumais, Locke, Dutton, Rice.

**CHESHIRE COUNTY:** Smith of Hinsdale, Spofford, McCullough, Coddington, Pickett, Waling, Carlton, Sherwin, Terrell, Lane, Bouvier, Lang of Troy, Ballam, Rhodes, Thompson.

**SULLIVAN COUNTY:** Angus, Bloomfield, Marcotte, Davis of Cornish, Reney, Rowell, Pierce, Gamsby, DeLude.

**GRAFTON COUNTY:** Stevenson, Plumer, Willey, Bradley, Larty, Chamberlain of Holderness, Ashley, Jones of Lebanon, Perley, Collyer, Gardner of Littleton, Huckins, Barney.

**COOS COUNTY:** Dussault, Fortier, Russell, Sheridan, Brungot, Christiansen, Bouchard, Fontaine, Gagnon, Rines, Alls, Bishop, Ross, Ferguson, Potter, Bushey, Charbonneau, Phelan, Baker, Stinson, Taylor.

**ROCKINGHAM COUNTY:** Dudley, Shattuck, Fogg, Clarke of Derry, Gay of Derry, Nickerson of East Kingston, Blair, Eastman of Exeter, Eldredge, Merrill, Rathbone, Weeks of Greenland, Spollett, Hunter, Tobey, McCaffery, Labranche, Cheney, Palmer, Dondero, Hundley, Payette, Sadler, Quirk, Joyce, Munz, Ingraham, Haigh, Willis (Anna), Willis (Howard), Pillsbury of Sandown, Felch, Robinson of South Hampton, Waterhouse.

STRAFFORD COUNTY: Desjardins, Connell, Flanagan, Stearns, Chadbourn, Nadeau, Lacasse, Brown of Strafford.

BELKNAP COUNTY: Gardner of Gilford, Robertson, Hart, Rogers, Karagianis, Burbank, O'Shan, Dana, Miner, Smith of Meredith.

CARROLL COUNTY: Downs, Hodge, Ford.

MERRIMACK COUNTY: Baron, Phelps, Vaughn of Bow, Vogel, Ferrin, Davis of Concord, Henry, Colbath, Hancock, Shea of Concord, Lessels, Corbett, Jewett, Cilley, McKee, Mahoney of Concord, Nutter, Burke, Charland, Mason, Du-Devoir, Mulaire, Brown of Loudon, Milligan, Gay of New London, Young, Workman.

### Nays—136

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Farwell, Herrick, Jennings, Poore, Reed, Hadley, Goodwin, Abbott, Latour, Burgess, Tessier, Lavoie, Dion of Manchester, Lafond, Gamache, Deans, Falconer, Wadleigh, Buckley, Cummings, Saunders, Belcourt, Pappagianis, Aho, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Burnham, Thomas, Pike, Perry, Haley, Kirk, Wheeler, Bennett, Brown of Keene, Faulkner, Brown of Marlow, Billings, Ingham.

SULLIVAN COUNTY: Bascom, Frizzell, Bissonett, Firestone, Millar, Nelson of Goshen, Bailey, Roe.

GRAFTON COUNTY: Ramsey, Pryor, Clarke of Canaan, Sanborn, Hayward, Holden, Clement of Landaff, Adams, Cole, Townsend, Kelley, Martin, Frazer, Talbot, Bell, Sawyer.

COOS COUNTY: Roy, Hurlbert, Cornelius, Converse.

ROCKINGHAM COUNTY: Griffin of Auburn, Tenney, Bisbee, Thurlow, Battles, Parmenter, Carter, Murch, Travis, Wardwell, Philbrick, Scamman.

STRAFFORD COUNTY: Chase, Felker, Webb, Pearson, Funkhouser, Littlehale, Nute, Wentworth, Evans, Dustin, St. Pierre, Studley, Estes, Green, Maloomian, Letourneau, Cormier, Beamis, Malley.

BELKNAP COUNTY: Skinner, McAllister, Morin, Simon-eau, Tilton, Ballentine, Varrell, Urie, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Benson, Roberts, Nicker-son of Madison, Lamprey, Hayden, Remick, Hodgdon, Peaslee of Wakefield, Weeks of Wolfeboro.

MERRIMACK COUNTY: Dowd, Nelson of Concord, Rainie, Walker, Broadhurst, Kenney, Dempsey, Carpenter, Davis of Hopkinton, Wilman, Thibeault of Pembroke, Ayer of Pittsfield, Lovejoy, Bigelow, Bean.

And the motion to indefinitely postpone prevailed.

Mr. Dempsey of Franklin, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 453, An Act relating to the disposition of unclaimed property and making uniform the law with reference thereto, having considered the same, reported the same with the follow-  
ing resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the com-  
mittee adopted.

Mr. Eastman of Weare, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 500, An Act providing for the acquisition of certain dams and water rights by the water resources board, having considered the same, reported the same with the recommenda-  
tion that the bill ought to pass.

The report was accepted and the bill ordered to a third  
reading.

Mrs. Payette of Portsmouth, for the Committee on Execu-  
tive Departments and Administration, to whom was referred House Bill No. 528, An Act relating to sewer bonds of the town of Meredith, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title by adding at the end thereof the words, legalization of a town meeting in Meredith held March 8, 1955 and legalization of certain meetings held by Meredith School district, Center Harbor school district, and organization meet-  
ings of the Inter-Lakes School District No. 3, so that said title



as amended shall read as follows: An Act relating to sewer bonds of the town of Meredith, legalization of a town meeting in Meredith held March 8, 1955 and legalization of certain meetings held by Meredith school district, Center Harbor school district, and organization meetings of the Inter-Lakes School District No. 3.

Amend the bill by inserting after section 2 the following new section:

3. *Organization and Proceedings Legalized.* Inter-Lakes School District No. 3, comprising the School districts of Meredith and Center Harbor, is hereby constituted a legally organized elementary and secondary cooperative school district under chapter 199 of the Laws of 1947, as amended, in accordance with the votes taken by the school district of Meredith and the school district of Center Harbor relative to the establishment of said cooperative district. The votes and proceedings, relative to the establishment of such cooperative district, of the Meredith school district meeting held March 5, 1954, of the Center Harbor school district meeting held March 3, 1954, and of the organization meetings of said cooperative district held April 5, 1954 and April 19, 1955, are hereby legalized, ratified and confirmed.

Further amend by renumbering section 3 to read section 4.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 289, An Act providing a time when residents only may take wild deer, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Joint Resolution No. 52, Joint Resolution relative to purchase of boat for the fish and game department, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations, under the rule.

Mrs. Holmes of Amherst, for the Committee on Judiciary, to whom was referred House Bill No. 468, An Act relative to old age and survivors' insurance coverage and the administration thereof, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Moher of Dover, for the Committee on Judiciary, to whom was referred House Bill No. 419, An Act providing for so-called daylight saving time throughout the entire year, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Coddington of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 223, An Act to simplify requirements for absentee voting, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Absentee Voting, Certificates Required of Absentee Voters.* Amend paragraph III of section 61, chapter 34, Revised Laws (section 2, chapter 60, RSA), by striking out the whole thereof and inserting in place thereof the following:

III. Envelopes of sufficient size to contain the ballots specified in paragraph 1, on which shall be printed the following:

*Absence from City or Town.* A person voting by absentee ballot because of absence from the city or town in which he is entitled to vote shall fill out and sign the following certificate:

I do hereby certify, under the penalties of perjury, that I am a duly qualified voter in the city or town of . . . . . New Hampshire, in Ward . . . . , that I will be absent on election day from said city or town, and will be unable to vote in person; that on said day at least one city or town will intervene

between the place where I am entitled to vote and the place where I am then; that I have read carefully the instructions forwarded to me with the ballot herein enclosed and that I personally marked the within ballot and enclosed and sealed it in this envelope.

(Signature) .....

*Absence Because of Physical Disability.* A person voting by absentee ballot because of physical disability shall fill out and sign the following certificate and shall also have filled out and signed, as hereinafter provided, a supporting certificate of physical disability:

I do hereby certify, under the penalties of perjury, that I am a duly qualified voter in the city or town of ....., New Hampshire, in Ward . . . ., that on account of physical disability I am unable to vote in person; that I have read carefully the instructions forwarded to me with the ballot herein enclosed, and that I personally marked the within ballot and sealed it in this envelope.

(Signature) .....

Certificate to be Filled Out and Signed by a Physician, Chiropractor, Christian Science Practitioner, Superintendent of Hospital, or Registered Nurse, who Shall Designate in Which Capacity He is Acting.

I, ..... of ..... hereby certify that ....., who signed the foregoing certificate, personally known to me, will, by reason of physical disability, be unable to cast (his) (her) vote at the polling place on the day of election.

(Signature) .....

(Designation) .....

The report was accepted, the amendment laid upon the table under Rule No. 48.

Mr. Healy of Manchester, for the Committee on Judiciary, to whom was referred House Bill No. 330, An Act relative to absentee voting, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Bennett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 8, An Act relative to causes for divorce, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Divorce.* Amend paragraph VI, section 6, chapter 339, Revised Laws (section 7, chapter 458, RSA) by striking out the word "three" and inserting in place thereof the word, two, so that said paragraph as amended shall read as follows: IV. When either party has been absent two years together, and has not been heard of.

2. *Habitual Drunkard.* Amend paragraph VII of section 6, chapter 339, Revised Laws (section 7, chapter 458, RSA) by striking out the word "three" and inserting in place thereof the word, two, so that said paragraph as amended shall read as follows: VII. When either party is an habitual drunkard, and has been such for two years together.

3. *Abandonment.* Amend paragraph IX of section 6, chapter 339, Revised Laws, (section 7, chapter 458, RSA) by striking out the word "three" in the second line and inserting in place thereof the word, two, so that said paragraph as amended shall read as follows: IX. When either party, without sufficient cause, and without the consent of the other, has abandoned and refused, for two years together, to cohabit with the other.

4. *Husband, Absence.* Amend paragraph X of section 6, chapter 399, Revised Laws (section 7, chapter 458, RSA) by striking out the word "three" in the second line and inserting in place thereof the word, two, so that said paragraph as amended shall read as follows: X. When the husband has willingly absented himself from the wife for two years together, without making suitable provision for her support and maintenance.

5. *Wife, Absence.* Amend paragraph XI of section 6, chapter 339, Revised Laws (section 7, chapter 458, RSA) by

striking out the word "three" in the second line and inserting in place thereof the word, two, so that said paragraph as amended shall read as follows: XI. When the wife of any citizen has willingly absented herself from her husband, without his consent, for two years together.

6. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The question being on the amendment.

Mr. Lavoie of Manchester moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Lavoie of Manchester, Charland of Franklin, Craig of Manchester and Fortier of Berlin and Mesdames Brungot of Berlin and Holmes of Amherst spoke in favor of the motion.

Messrs. Jones of Lebanon and Faulkner of Keene spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Charland of Franklin demanded the yeas and nays but subsequently withdrew his demand, and asked for a division.

A division being had, 170 members having voted in the affirmative and 92 members having voted in the negative, the motion to indefinitely postpone prevailed.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 414, An Act changing the spelling of the name of the town of Moultonborough to Moultonboro, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

### Special Order

Mr. Pillsbury of Manchester moved that the remainder of the committee reports listed for Wednesday be made a Special Order for Thursday, May 26 at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)



Messrs. Pillsbury of Manchester and Angus of Claremont spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

### Reconsideration

Mr. Scamman of Stratham moved that the House reconsider its vote whereby House Bill No. 500, An Act providing for the acquisition of certain dams and water rights by the water resources board, was ordered to a third reading.

On a *viva voce* vote the motion prevailed.

The bill was referred to the Committee on Appropriations under the rules.

### Order Vacated

Miss Collyer of Lisbon moved that the order whereby House Joint Resolution No. 26, Joint Resolution relative to dredging the Ammonoosuc River at Lisbon was referred to the Committee on Public Works, be vacated and that it be referred to the Committee on Military and Veterans' Affairs.

The question being on the motion.

(Discussion ensued)

Miss Collyer of Lisbon and Mr. Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

### Resolution

On motion of Mrs. Phelan of Stark the rules were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time, and that third readings of bills be by their titles only, and that when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Bill No. 172, An Act relative to mileage rate for state employees using private cars.

House Bill No. 468, An Act relative to old age and survivors' insurance coverage and the administration thereof.

House Bill No. 528, An Act relating to sewer bonds of the town of Meredith.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 35, An Act to provide for the publication and distribution of the Revised Statutes Annotated of the State of New Hampshire.

Read a third time and passed, and sent to the Senate for concurrence in the amendment.

Senate Bill No. 59, An Act relating to indebtedness of the city of Manchester.

Senate Bill No. 82, An Act to amend the charter of the Cheshire County Savings Bank.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Frizzell of Charlestown at 2:28 o'clock the House adjourned.

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THURSDAY, MAY 26, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Roy B. Chamberlin, Jr., Associate Pastor, First Congregational Church, Keene.

O, Thou, to Whom belongs all glory and honor, we lift up our hearts in praise and thanksgiving.

We would praise Thee for this our native state which it is our privilege to serve —

For her rocks and mountains reminding us that Thou art our rock and fortress and that we do well to build on the solid rock of faith;

For her green forests, reminding us in their abundance and verdure of the rich diversity of Thy creation and that we do well to honor all Thy creation;

For her streams and secluded lakes reminding us of the purity of Thy gospel — that when we are foul and unclean within, we may find through true repentance newness and refreshment in Thy forgiveness.

O, turn our hearts toward Thee this day that we may govern according to Thy justice, truth and love.

Grant unto all men that they may dwell together in peace as brothers.

Through the name of Him Whom by faith we call "Saviour of the World."

### Salute to the Flag

Mrs. Christiansen of Berlin led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Hunter of Hampton, Tobey of Hampton, Ford of Wolfeboro, Nickerson of East Kingston, and Maxham of Concord and Mrs. Perry of Jaffrey were granted leave of absence for the day on account of important business.

### Opinion of the Supreme Court

*To the House of Representatives:*

The Justices of the Supreme Court make the following reply to your request for advice upon the question of whether the provisions of section 9 of House Bill 424 appear to be in conflict with the Constitution.

House Bill 424 provides for the creation of an Industrial Park Authority, "a body corporate and politic as an agency of the state" (s. 2), through which areas suitable for the development of additional industries and known as industrial parks, together with necessary facilities such as transportation, water and sewage, would be developed, maintained and operated. The authority would have power to acquire, hold and dispose of personal property, to acquire, sell and lease real property, and to collect fees for services made available within the parks. Ss. 5(4), 5(6), 5(8). It would also be authorized to expend money to develop, as an industrial park, real property owned by any local development organization having as its primary function the promotion, encouragement and development of industrial growth; and to construct upon any such property not more than one "suitable industrial building." S. 6. All property owned by the Authority would be exempt from levy and sale on execution (s. 5) and from taxation. S. 11.

The section to which your inquiry relates (s. 9) would empower the Industrial Park Authority, in the financing of its development of industrial areas and facilities, to "issue to the

state treasurer its notes . . . in an amount outstanding at any one time sufficient to enable the authority to carry out its functions under the act" and authorize the state treasurer "to purchase the notes of the authority," using therefor "any funds over which the state has exclusive control."

An appropriation of public money for a private purpose is forbidden. Legislation resulting in or leading to taxation for such a purpose is equally invalid. A loan of public money, like a pledge of the public credit, creates an obligation which requires or may require money to be raised by taxation and "stands on equal footing with one that is certain to do so." *Opinion of the Justices*, 88 N. H. 484, 489. The validity of section 9 depends upon "the essential character of the direct object of the expenditures which must determine [the bill's] validity." *Opinion of the Justices*, 94, N. H. 515, 517. The question is whether the expenditures will be primarily of benefit to private persons or private uses, which is forbidden, or whether they will serve public purposes for the accomplishment of which public moneys may properly be used.

The first section of the proposed act declares that there is a state-wide need for the development of additional industry and areas suitable for such development "for the preservation and betterment of the economy of the state and its inhabitants"; that the purpose of the act is to provide such areas "so as to provide and encourage orderly industrial development in the best interests of the state"; and that "the purposes of this act are public." Such legislative declarations would be entitled to weight in construing the statute and in determining whether it promoted a public purpose, even though they would "have no magical quality to make valid that which is invalid." *Velishka v. Nashua*, 99 N. H. 161, 165. It is the essential characteristics of the bill which must determine its validity, rather than its declared purpose. *Opinion of the Justices*, 98 N. H. 527, 528.

The proposed act presents a double aspect in that in some respects it would confer a benefit upon the public and in others would result in benefits to private individuals. Such legislation is not necessarily invalid because individuals as such may profit, nor is it necessarily valid because of benefits provided for the public. *Velishka v. Nashua*, *supra*; *Opinion of the Justices*, 94 N. H. 515; *Opinion of the Justices*, 88 N. H. 484.

As above stated, the question is whether it bears directly and immediately or only remotely and circumstantially upon the public welfare.

The direct object of this bill is to encourage new industrial development in this state by providing suitable areas, buildings and facilities on such terms as will prove attractive to persons wishing to engage in private enterprise. However, under the bill in its present form, "the preservation and betterment of the economy of the state and its inhabitants" which it also seeks to provide might prove to be merely incidental and subsidiary to assistance rendered to private industry, rather than "a promotion of the general welfare which incidentally benefits certain individuals, and which is proper." *Conway v. Water Resources Board*, 89 N. H. 346, 351. In such a case the public purpose accomplished would be no more than the indirect public advantage which accompanies industrial welfare and general prosperity. The expenditure of public funds under such circumstances, "even if the public advantage takes specific form . . . [would be] a violation of the constitutional principle against taxation for private purposes." *Opinion of the Justices*, 88 N. H. 484, 488. *Opinion of the Justices*, 88 N. H. 494. See *Opinion to the Governor*, 79 R. I. 305.

We find in the bill no standard or guide to control the action of the Authority in exercise of its delegated powers in furtherance of the general policy laid down by the Legislature. Cf. *Conway v. Board*, *supra*, 352. See *Ferretti v. Jackson*, 88 N. H. 296, 302.

The act which established the Water Resources Board, as amended, (R. L., c. 266, s. 6) calls for administrative hearing and determination that any proposed undertaking "will be of public use and benefit and within the authority conferred." *Conway v. Board*, *supra*, 352. The procedure thus established was thought to furnish the "judicial test of probative evidence" (*Opinion of the Justices*, 88 N. H., *supra*, 492) needed to adequately insure that "the purpose of the project is confined to the Legislature's declared objects, and free from any character as an undertaking for which benefit to particular persons or private enterprises is its substantial inducement." *Opinion of the Justices*, 88 N. H. *supra*, 493. The validity of this and other legislation containing analogous provisions has been upheld. *Opinion of the Justices*, 94 N. H. 515, 518; *Opinion of the*



*Justices*, 95 N. H. 548; *Conway v. Board*, *supra*; *St. Regis Co. v. Board*, 92 N. H. 164, 175-6; *Velishka v. Nashua*, 89 N. H. 161, 167-8.

House Bill 424 makes no provision for determination that particular undertakings by the Authority will serve the public purpose. No method is provided for establishing in a particular instance the fact that the public is not "already adequately served," so that a proposed undertaking will actually be "for the public use and purpose." *Opinion of the Justices*, 88 N. H. 484, *supra*, 488. In the absence of standards to guide and control the action of the Authority in the exercise of its powers (*Ferretti v. Jackson*, 88 N. H. 296), and of provision for "authoritative finding" that a particular undertaking will be within the stated purpose of the act (*Opinion of the Justices*, 88 N. H. *supra*, 491-493; see *Conway v. Board*, *supra*, 351, 352) and not primarily for the benefit of private users (*Conway v. Board*, *supra*, 350), the bill is open to constitutional objection. Hence the provisions of section 9 of the bill, must be considered in conflict with the Constitution.

Our opinion is requested and given with respect to the bill in its present form. Consequently it should not be taken to necessarily imply that the bill is incapable of revision to meet constitutional requirements. The need for the proposed legislation and the wisdom of its adoption are matters for the Legislature to determine. See Laws 1951, c. 328; Dalton: The Community Development Corporations in New Hampshire (1954).

It is our present judgment that section 9, if enacted as a part of House Bill 424 in its present form, would conflict with the Constitution.

FRANK R. KENISON  
LAURENCE I. DUNCAN  
AMOS N. BLANDIN, JR.  
EDWARD J. LAMPRON  
JOHN R. GOODNOW

### Opinion of the Supreme Court

*To the House of Representatives:*

The undersigned Justices of the Supreme Court submit the following answer to the inquiry contained in your resolution

of May 5, 1955, with reference to House Bill No. 43, entitled, An Act Relative to Forest Conservation. Your inquiry is whether House Bill No. 43 violates the fundamental law of the state relative to taxation of property.

While we are concerned only with the taxation features of this act a summary of its provisions are necessary for an understanding of the problem. The act declares the preservation, conservation and protection of forests and water resources and the continuous growth of timber on land suited thereto to be the public policy of New Hampshire. The act proposes to repeal the so-called timber tax (R. L., c. 79-A as amended) and provides for the classification of lands from which trees have been cut as forest lands except "where trees have been removed" for the following reasons: (1) to benefit the general health and increase the annual growth of residual stands or to remove dying or diseased trees; (2) to clear the land for *bona fide* agricultural, mining, business or residential purposes; (3) to clear rights of way, camp sites, or firebreaks."

Lands classified as forest lands or reforestation lands are to be removed from "the current assessment roll" and to be subject to an annual "forest fee." The act provides that the private landowner shall practice forest conservation, obtain a license to cut timber and shall restock the property in accordance with regulations promulgated by the State Forester. If such conservation practices are not followed the State Forester is authorized to correct these conditions at a cost not to exceed sixteen dollars per acre which is to be paid by the landowner. The act would place a flat tax of three dollars per acre on land if the owner meets the conservation practices of the State Forester and provides that the owner shall pay a tax of ten percent of the value of the timber at the time it is cut. It would further provide an annual appropriation for the purchase of additional state forest lands.

Formerly it was the law in this state that the taxation of standing wood and timber could not be at a rate less than that imposed upon property in general. *Opinion of the Justices*, 76 N. H. 609. With certain exceptions standing timber was required to be taxed at the same rate as other real property or income. *Opinion of the Justices*, 84 N. H. 557. In 1942, Article 5th, Part Second of the New Hampshire Constitution was

amended as follows: "For the purpose of encouraging conservation of the forest resources of the state, the General Court may provide for special assessments, rates and taxes on growing wood and timber." It is clear that this amendment authorizes the General Court to tax wood and timber at rates which are different from those imposed on other property or income. The amendment allows the Legislature to tax growing wood and timber by any reasonable method, whether it takes the form of a fee or a certain percentage of the stumpage value or a flat rate per acre. *Cf. Opinion of the Justices*, 84 N. H. 559, 574. The tax need not be correlated with other taxes. *Brock v. Farmington*, 98 N. H. 275.

It is generally recognized today that the encouragement of reforestation and forest conservation affects the public interest and the public welfare so that the General Court may enact legislation which will prevent the indiscriminate damage or destruction of the forests and water resources of the state even though this may involve some regulation and control over the private ownership of such property. *Opinion of the Justices*, 103 Me. 506; *State v. Dexter*, 32 Wash. (2d) 551, affirmed in 338 U. S. 863. This principle was stated as follows in *Conway v. Water Resources Board*, 89 N. H. 346, 349: "The State clearly may engage in undertakings to develop its resources. It is no less in its interest than to conserve them . . ." Since the protection and promotion of forests and water resources are within the ambit of public welfare the taxing power may be used to aid that public purpose. *Opinion of the Justices*, 84 N. H. supra, 574, 577; *Baker v. West Hartford*, 89 Conn. 394; Anno. 13 A.L.R. (2d) 1120; Schulz, *Conservation Law and Administration*, 403 (1953). It follows that growing wood and timber may be classified separately from other property for the purposes of taxation. Note, 53 Harv. L. Rev. 1018; Report of the Timber Tax Study Committee (1954).

However the proposed act as drafted contains many words and phrases which are undefined and uncorrelated. Some examples of this are "reforestation lands," "forest fee," "bare land tax," and "sustained yield management." One section of the act has no section heading; there may be an inconsistency between the taxing provisions of sections 7 and 8; likewise the provisions of sections 4 and 7 may be conflicting. The provisions for rules and regulations to be promulgated by the

State Forester may be inadequate in view of the absence of standards and definitions for his guidance in the act. Gulick, *American Forest Policy*, 187 (1951). What was said in *Opinion of the Justices*, 95 N. H. 548, 551 is pertinent here: "While we do not pass on the wisdom or advisability of the proposed bill, it may be helpful to note that the bill as drafted is unnecessarily ambiguous . . . Such confusion is 'not helpful either to property owners or taxing officials' (*Palmer v. Coulombe*, 95 N. H. 266, 269) and should be resolved."

For the above reasons it is impossible to give a specific answer to the question you have raised as applied to the act in its present form but it is believed that the foregoing may be sufficient for the main purposes of your general inquiry. Because of the defects of the act as a whole we have not attempted to answer all of the specific questions that could arise under it in its present form.

FRANK R. KENISON  
LAURENCE I. DUNCAN  
AMOS N. BLANDIN, JR.  
EDWARD J. LAMPRON  
JOHN R. GOODNOW

### Notice of Reconsideration

Mr. Eldredge of Exeter served notice that on some subsequent day he would move to reconsider the vote whereby the House voted to indefinitely postpone House Bill No. 297, An Act making certain records relative to race meets available to the public.

Mr. Pillsbury of Manchester objected to the motion to reconsider a motion to indefinitely postpone, which had been voted in the affirmative.

### Speaker's Ruling

Reconsideration of Motion To Postpone Indefinitely

Rule 26—Indefinite Postponement

Rule 30—Time for Reconsideration

A member served notice that he would move reconsideration of a vote whereby it was voted to indefinitely postpone further consideration of a Bill. Objection was made to the Speaker's entertaining the notice duly served on him within the time set by the Rules.

The question is whether or not the motion to reconsider properly lies on a vote to indefinitely postpone. A search of the rulings of previous Speakers indicates a decided preference for refusing such a motion.

The question is to be decided by interpreting Rule 26 in conjunction with Rule 30. Rule 26 of the House Rules says "When a question is postponed indefinitely, the same shall not be acted upon during the session except by unanimous consent". In a preceding ruling, the Speaker gave his interpretation of the word "Question". See Journal of May 25, 1955. This is in agreement with his predecessors. The point of departure seems to be the effect of reconsideration and what it purports to do.

Reconsideration is granted, usually, to decisions on matters wherein it was felt that hasty or ill-advised action had been taken, and the cooling-off process disclosed the error. (Cushing's Manual of Parliamentary Practice, 1922 — sections 254, 255) (Roberts Rules of Order, 1951 — P. 165). Patently, error can be present in indefinitely postponing action on a bill as well as it can be present in passing a bill. (Cushing — section 255). To deny this is to say that all bills killed by indefinite postponement are so disposed of only after well-conceived debate and thought. The Chair cannot accept this reasoning. Hasty and ill-advised decision can appear in either case. It is not logical to apply reconsideration in one case and not in the other.

Rule 30 prescribes the time within which reconsideration may be moved. It is strictly limited to a certain time. Obviously it was so stated in order that bills which were passed could go to the other House within a reasonable time and to expedite the handling of legislation. Not to set a time after which reconsideration cannot be moved would be to hinder and impair orderly and speedy action on bills. There has to be a time when the action of a House is final, and this time comes, under Rule 30 "one-half hour after the convening of the morning session". See Cushing — sections 255a and 257.

Were it intended that this right to reconsider should not apply to some motions, then it would have been a simple matter to so state in the rule. But such is nowhere to be found.

It is suggested that it is not applicable to the motion to indefinitely postpone because it allows the question to be acted



upon again during the session. Only by stretching the language of Rule 26 is this possible. Such an interpretation presumes all motions to reconsider will be favorably decided. It is only if the motion to reconsider is voted upon positively that the possibility to act again upon the question arises. Up to that time, such does not occur. It is specious to argue that this brings it up a *second* time for action, because action on any bill is not final until the rights of the members have been exhausted, and this does not occur until the time has passed within which reconsideration is permitted. In our House, action is not final until one-half hour after the convening of the next morning session. Up to that moment, any action by the House is in suspense. After that it is settled.

In the instant case, the motion to reconsider was seasonably made, and it is ruled acceptable. To prove the value of the ruling, members, who were inopportunately shut off from debating the issue by virtue of the previous question being ordered were given a chance to debate it. The cooling-off period was thus productive of one benefit the use of the motion provides.

It should be noted that the time within which such a motion is permitted may be, and is often, shortened by moving at once for reconsideration to give House action immediate finality. The Chair rules, therefore, that a motion to reconsider is applicable to a motion to indefinitely postpone. (Roberts at Page 168, section 3, Mason Manual of Legislative Procedure, Section 436, P. 2).

The Chair does not consider the other reason behind indefinite postponement, namely; to avoid committing one's self squarely on an issue, as being pertinent to the case at hand.

### Committee Reports

#### Rules Suspended

On motion of Mrs. Funkhouser of Durham, the rules were suspended to allow the committee report on House Bill No. 54, listed as a Special Order, to be taken up at the present time.

Mr. Green of Rollinsford, for the Committee on Public Health, to whom was referred House Bill No. 54, An Act relative to marine toilets and disposal of sewage from boats, having considered the same, reported the same, in new draft, with

the recommendation that the bill, in its new draft, be recommended to the Committee on Public Health.

The report was accepted.

The question being on the recommendation of the committee.

Mr. Willis of Salem moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Willis of Salem, Chase of Dover, Dana of Laconia, Hart of Laconia, O'Shan of Laconia, Chandler of Gorham, Plumer of Bristol and Karagianis of Laconia, and Mrs. Miner of Meredith spoke in favor of the motion.

Messrs. Green of Rollinsford, Lamprey of Moultonborough, Bascom of Acworth, Brown of Marlow and Pillsbury of Manchester and Mesdames Funkhouser of Durham and Dondero of Portsmouth spoke against the motion.

Mr. Metcalf of Tilton moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Pillsbury of Manchester called for a division.

A division being had, 192 members having voted in the affirmative and 122 members having voted in the negative, the motion to indefinitely postpone prevailed.

### Reconsideration

Mrs. Miner of Meredith moved that the House reconsider its vote whereby it voted to indefinitely postpone House Bill No. 54, An Act relative to marine toilets and disposal of sewage from boats.

On a *viva voce* vote the motion did not prevail.

### Inquiry

Mr. Spaulding of Hudson inquired of the Speaker if the motion to indefinitely postpone could be reconsidered, and if so, did it violate Rule No. 26 of the House rules.

The Speaker's ruling was that the inquiry had been answered when a member had previously this day objected to the allowance of a similar motion.

### Reconsideration

Mr. Pickett of Keene moved to reconsider the vote whereby the House voted to indefinitely postpone House Bill No. 297, but subsequently withdrew his motion.

Mrs. Goodwin of Hollis, for the Committee on Appropriations, to whom was referred House Bill No. 285, An Act relative to the construction of a new library building and the remodeling of the present library building for instructional purposes at the University of New Hampshire, and to be liquidated from income, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out after the word "Hampshire" in the third line the words, "and to be liquidated from income" so that the title as amended shall read as follows: An Act relative to the construction of a new library building and the remodelling of the present library building for instructional purposes at the University of New Hampshire.

Amend section 3 of the bill by striking out the word "earlier" in the eighth line and inserting in place thereof the word, later. Further amend said section by striking out the words "and may be redeemable before maturity at the option of the governor and council at such price or prices and under such terms and conditions as may be fixed by the governor and council prior to the issuance of the bonds" in the ninth, tenth, eleventh and twelfth lines, so that said section as amended shall read as follows:

3. *State Bonds or Notes.* The governor, upon receipt of a request from the board of trustees of the university, and by and with the consent of the council, may direct the state treasurer to borrow upon the faith and credit of the state a sum not exceeding one million five hundred thousand dollars for the purpose of carrying into effect the provisions of this act, and for said purpose may issue bonds in the name and on behalf of the state at a rate of interest to be determined by the governor and council, but in no case shall they be later than twenty years from the date of issue. The bonds shall be in such form and denomination as the governor and council shall determine, may be registerable as to both principal and

interest, shall be countersigned by the governor and shall be deemed a pledge of the faith and credit of the state. The secretary of state shall keep an account of all such bonds showing the number and amount of each, the time of countersigning, the date of delivery to the state treasurer and the date of maturity. The state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom sold, the amount received from the same, the date of the sale and the date of maturity.

Amend section 7 of the bill by striking out all after the word "Effect" and inserting in place thereof the following, This act shall take effect on July 1, 1956, so that said section as amended shall read as follows:

7. *Takes Effect.* This act shall take effect July 1, 1956. The report was accepted.

Reading of the amendment having commenced, on motion of Mr. Scamman of Stratham further reading was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Malley of Somersworth, for the Committee on Appropriations, to whom was referred House Bill No. 527, An Act relative to sales of armories, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Belcourt of Nashua, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 53, Joint Resolution relative to insurance on motor vehicles, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted.

Mr. Maloomian of Somersworth moved that the words "ought to pass" be substituted for those of inexpedient to legislate.

The question being on the motion.

(Discussion ensued)

Messrs. Maloomian of Somersworth and Brown of Loudon, spoke in favor of the motion.

(Mr. Faulkner of Keene in Chair)

Messrs. Waling and Pickett of Keene spoke in favor of the motion.

Messrs. Kelley of Littleton and Chandler of Bartlett spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Waling of Keene called for a division.

A division being had, 144 members having voted in the affirmative, and 135 members having voted in the negative, the motion prevailed.

Mr. Brown of Loudon moved that the joint resolution, and study referred to in the joint resolution, be referred to the Legislative Council for their consideration and that they make a report to the 1957 session of the Legislature.

The question being on the motion.

On a *viva voce* vote the motion prevailed.

Mr. Lavoie of Manchester, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 6, An Act authorizing the appointment of county public trustees, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by adding at the end thereof the words, provided, however, that in each instance the trustee of the fund assigned shall give his consent, so that said section as amended shall read as follows: 1. *Public Trustees*. Amend chapter 363 of the Revised Laws (chapter 564, RSA) by inserting after section 2 the following new section: 2-a. *Public Trustees*. The Judge of Probate shall be empowered to appoint a suitable person as public trustee to hold office during the court's pleasure whose duty shall be to administer all such small charitable trusts as the court may assign to him, where it is found that the practical difficulties or the unreasonable expense involved in each trust would tend to defeat its purpose, provided, however, that in each instance the trustee of the fund assigned shall give his consent.



The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Ecker of Manchester, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 88, An Act relative to the formation of railroad corporations, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill ordered to a third reading.

(Speaker in Chair)

Mrs. Griffin of Auburn, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 1, An Act relative to speed regulations for motor vehicles, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted, and the resolution of the committee adopted.

Mr. Reed of Goffstown, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 509, An Act relating to deposits by the state treasurer, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 by inserting after the word "surplus" in the eleventh line the words, Other conditions being equal, those banks or trust companies shall receive preference which allow interest on balances, so that said section as amended shall read as follows:

1. *State Treasurer.* Amend section 6 of chapter 22 of the Revised Laws (section 7, chapter 6, RSA) by striking out said section and inserting in place thereof the following: 6. *Deposits.* The treasurer may deposit any portion of public monies, in his possession, in such national banks within the state or the state of Massachusetts or any such trust company incorporated under the laws of or doing business within the state or the state of Massachusetts as shall be approved at least once in six months by the governor and council, but the amount of collected funds on deposit in any one bank or trust company

shall not at any time exceed the sum of its paid-up capital and surplus. Other conditions being equal, those banks or trust companies shall receive preference which allow interest on balances. As used in this section the term "public monies" shall include the general funds of the state and any funds of which the state treasurer acts as custodian or agent.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Beamis of Somersworth, for the Committee on Judiciary, to whom was referred House Bill No. 521, An Act relative to the appointment of the members of the tax commission, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mrs. Brungot of Berlin moved to substitute the words "ought to pass" for the report of the committee, inexpedient to legislate.

The question being on the motion.

(Discussion ensued)

Messrs. Bisbee of Derry, Gay of New London, Pillsbury and Danforth of Manchester, and Mesdames Brungot of Berlin and Spollett of Hampstead spoke in favor of the motion.

Messrs. Rathbone of Exeter, Holden of Hanover, Moher of Dover, Pickett and Faulkner of Keene, Wadleigh of Milford, and Rowell of Newport, and Mesdames Hayward of Hanover, and Frizzell of Charlestown, and Miss Collyer of Lisbon spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mrs. Brungot of Berlin called for a division, but subsequently withdrew her demand.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution was adopted.

Mrs. Frizzell of Charlestown, for the Committee on Judiciary, to whom was referred House Bill No. 189, An Act relating to placing of fill in great ponds, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

**Placing Fill in Great Ponds.**

1. *Public Waters.* Amend chapter 266 of the Revised Laws (chapter 481, RSA) by inserting after section 28 the following new sections: 29. *Artificial Fill.* No person, firm or corporation shall place or cause to be placed any fill below the mean high water level of any public waters in this state with the intent or with the effect of creating or forming filled land thereby, except as provided in this chapter. The prohibition hereof shall not apply to the state, the federal government, or to municipal corporations, or to their agents acting within the scope of their official duties; nor to the construction of piers, wharves or piers designated or intended for the mooring of water craft or air craft. For the purposes hereof, great ponds are defined to be all public ponds of more than ten acres. 30. *Grant of Right.* The governor and council, upon petition and upon the recommendation of the water resources board, may, for such consideration as they deem just, grant to an owner of shore line of a great pond the right to place fill in the bed of such pond before his shore line. Every petition to place fill in a bed of a great pond shall be referred to the water resources board, and said board, after due notice to abutters and others as deemed necessary, and upon such investigation as shall be considered appropriate, shall make its recommendations to the governor and council with regard to such petition. If the board shall recommend that the petition be granted, in whole or in part, such recommendation shall include appropriate specifications and conditions necessary to the protection of public rights. The grant of the governor and council shall be evidenced by an instrument in writing, executed by the governor and council and attested by the secretary of state and recorded in the county where the right is to be exercised. Land created by fill in accordance with the grant of the governor and council shall belong to the owner of the natural shoreline as if it were formed by natural accretion. 31. *Procedure for Removal of Fill.* If any person shall place fill in the bed of a great pond except as provided in this chapter, he may be compelled to remove the same by the superior court upon a petition brought by the attorney general at the request of the water resources board.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Rathbone of Exeter, for the Committee on Judiciary, to whom was referred House Bill No. 317, An Act relative to minimum prices and regulation of hours in barber shops, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

(Discussion ensued)

Mr. Karkavelas of Dover spoke against the question.

Mrs. Brungot of Berlin moved to substitute the words "ought to pass."

The question being on the motion.

(Discussion ensued)

Mrs. Brungot of Berlin spoke in favor of the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution of the committee.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Angus of Claremont, for the Committee on Labor, to whom was referred House Bill No. 459, An Act relative to unemployment compensation successorship merit rating for public utilities, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Labor, to whom was referred House Bill No. 459, An Act relative to unemployment compensation successorship merit rating for public utilities, having considered the same, and being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

RITA COLLYER,  
O. JOHN FORTIN,  
C. M. BROSNAHAN,  
DOROTHY L. WENTWORTH,

MALCOLM STEVENSON,  
THEODORE E. KENNEY,  
HAROLD L. JONES,  
JOSEPH COMI,

*For the Minority of the Committee*

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Unemployment Compensation.* Amend subsection E, section 6, chapter 218 of the Revised Laws, as inserted by section 16, chapter 138, Laws of 1945, section 6, chapter 36, Laws of 1951 and section 14, chapter 141, Laws of 1955, by striking out said subsection and inserting in place thereof the following:

E. *Successorship.* (1) For the purposes of subsection D of this section, an employing unit which acquires the organization, trade, or business, or substantially all of the assets thereof, of any employer, excepting, in any such case, any assets retained by such employer incident to the liquidation of his obligations (whether or not such acquiring employing unit was an employing unit within the meaning of section 1-G of this chapter prior to such acquisition), and who intends to continue such organization, trade or business, immediately shall notify the director thereof, and shall assume, for the purpose of liability, the position of such employer with respect to such employer's separate account, actual contribution and benefit experience and annual pay rolls, as if no change with respect to such separate account, actual experience and pay rolls had occurred and with the same effect for such purpose as if the operations of such employer had at all times been carried on by such employing unit. Such separate account shall be transferred by the director to such employing unit and, as of the date of such acquisition, shall become the separate account or part of the separate account, as the case may be, of such employing unit, and the benefits thereafter chargeable to such employer on account of employment prior to the date of such acquisition shall be charged to the former employer's separate account until the fact of successorship is determined by the director and thereafter shall be charged to the account of the acquiring employing unit.

(2) Notwithstanding the provisions of subsection H of



section 1 and section 7 of this chapter, any employer whose entire separate account has been transferred to a successor employer, as provided in paragraph (1) of this subsection, shall immediately cease to be an employer subject to this chapter and shall thereafter become an employer in accordance with the provisions of section 1-H, only upon his future employment experience.

(3) Whenever an employer in any manner transfers a clearly segregable unit (segregable unit shall mean a distinct and severable portion of an employer's business) of his business, and for which segregable unit the transferring employer has maintained, in such form as to be separable, continuous records of wages, contributions and benefits paid on account of such segregable unit, the actual contribution, benefit, and pay roll experience attributable to such segregable unit, and only such experience, shall be transferred to the successor provided the successor intends to continue such business, pursuant to such regulations as may be prescribed by the director. The successor shall stand in the position of the transferring employer for all purposes, including liability, as to that portion of the separate account transferred, as if no charge with respect thereto had occurred and with the same effect and for such purposes as if the operations of such segregable unit had at all times been carried on by the successor. Computations of contribution rates in such cases shall be as follows:

(a) The director shall immediately recompute the contribution rate of the transferring employer, and in the event that a different rate is established, such shall be effective on all taxable wages paid following the date of transfer.

(b) If the successor was an employer at the time of such acquisition, the director shall immediately recompute the contribution rate of the successor, and in the event that a different rate is established, such shall be effective on all taxable wages paid following the date of acquisition.

(c) If the successor was not an employer at the time of such acquisition, the actual contribution, benefit, and pay roll experience of the segregable unit shall be transferred to the successor and shall be used by the director to compute the

contribution rate effective on all taxable wages paid following the date of acquisition.

(4) No transfer of experience under paragraph (3) above, where the transfer of the segregable unit to the successor occurs prior to the effective date of the paragraph, shall be made unless a written application requesting transfer of the experience under paragraph (3) above and for computation of contribution rate under (3) (a), (b) or (c) is filed with the director within thirty days of the effective date of paragraph (3). No transfer of experience shall be made where the acquisition by the successor occurred more than one year prior to the effective date of this subsection.

(5) Where the transfer of a segregable unit occurs after the effective date of paragraph (3), written application for transfer of experience under paragraph (3) above and for computation of contribution rate under (3) (a), (b) or (c) shall be filed with the director within thirty days of the date of the transfer of the segregable unit.

(6) No rate of less than 2.7 per centum shall be permitted an employing unit succeeding to the experience of another employing unit pursuant to this subsection for any period subsequent to such succession except in accordance with regulations prescribed by the director, which regulations shall be consistent with federal requirements for additional credit allowance in section 1602 of the Internal Revenue Code, and consistent with the provisions of this chapter, except that such regulations may establish a computation date for any such period different from the computation date generally prescribed by this chapter.

The reports were accepted.

Reading of the amendment having commenced, on motion of Mr. Angus of Claremont further reading was dispensed with.

Mr. Angus of Claremont moved that the bill with accompanying reports be recommitted.

On a *viva voce* vote the motion to recommit prevailed.

Mr. Angus of Claremont, for the Committee on Labor, to whom was referred House Bill No. 448, An Act relating to the appeal board in public construction contracts, having con-

sidered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the appeal board in public construction contracts, minimum wages in public works, providing for a deputy labor commissioner, and relative to board of arbitration.

Amend said bill by inserting after section 1 the following new sections:

2. *Department of Labor.* Amend sections 7 and 8 of chapter 210, Revised Laws (sections 6 and 7 of chapter 273, RSA) by striking out the same and inserting in place thereof the following: 7. *Deputy Labor Commissioner.* The commissioner shall appoint a deputy labor commissioner whose salary shall be fixed by personnel regulations. Said deputy labor commissioner shall act as labor commissioner whenever the labor commissioner is incapacitated, absent or unable to act from any cause. The deputy labor commissioner shall also act as labor commissioner whenever there is a vacancy in the office of labor commissioner and until a new labor commissioner is duly appointed and has qualified. During such period as the deputy labor commissioner acts as labor commissioner his status as a classified state employee shall continue and shall in no way be altered, affected or changed. 8. *Duties.* Such deputy labor commissioner shall perform such other duties as may be directed by the labor commissioner and shall act as administrative assistant in the department of labor.

3. *Present Administrative Assistant.* The administrative assistant of the department of labor in office at the time of the passage of this act is hereby designated as deputy labor commissioner. Said deputy labor commissioner shall be a classified state employee and shall receive a salary in accordance with the personnel regulations, provided that nothing herein shall be construed to reduce the salary of said employee but merely to change his title and duties.

4. *Board of Arbitration.* Amend section 24 of chapter 210 of the Revised Laws (section 25, chapter 273, RSA) by striking out the word "eight" in the first line and inserting in

place thereof the word, twenty, so that said section as amended shall read as follows: 24. *Compensation*. Such arbitrators shall receive twenty dollars a day for each day actually engaged in such arbitration and their necessary traveling expenses; to be paid upon vouchers signed by the commissioner, with the approval of the governor, out of the funds appropriated for the maintenance of the department of labor.

Further amend said bill by renumbering section 2 to read section 5.

The report was accepted.

Reading of the amendment having commenced on motion of Mr. Angus of Claremont, further reading was dispensed with.

The question being on the amendment.

(Discussion ensued)

Mr. Angus of Claremont spoke in favor of the amendment.

Mr. Spaulding of Hudson offered the following amendment to the amendment:

Amend the title as amended by striking out the words "minimum wages in public works" so that said title as amended shall read as follows: An Act relative to the appeal board in public construction contracts, providing for a deputy labor commissioner, and relative to board of arbitration.

The question being on the amendment to the amendment.

On a *viva voce* vote the amendment to the amendment was adopted.

The question being on the amendment as amended.

On a *viva voce* vote the amendment as amended was adopted and the bill ordered to a third reading.

Mr. Corbett of Concord, for the Committee on Liquor Laws, to whom was referred Senate Bill No. 79, An Act relative to the sale of cider, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Corbett of Concord, for the Committee on Liquor Laws, to whom was referred House Bill No. 456, An Act relative to wholesalers and retailers of beverages, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

### Special Order

Mr. Waling of Keene moved that House Bill No. 259, An Act relating to unfair competition in the sale of motor fuels be made a Special Order of business for Wednesday, June 1 at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Mr. Waling of Keene spoke in favor of the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Waling of Keene called for a division.

A division being had, 156 members having voted in the affirmative, and 107 members having voted in the negative, the motion prevailed.

### Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it ordered to a third reading House Bill No. 448, An Act relating to the appeal board in public construction contracts.

On a *viva voce* vote the motion prevailed.

The bill was referred to the Committee on Appropriations under the rules.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred House Bill No. 363, An Act relative to pedestrians and to dimming lights on motor vehicles, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act relative to pedestrians and to dimming lights on motor vehicles and trailer break-away safety chains on trailers.

Amend section 2 by striking out said section and inserting in place thereof the following: 2. *Motor Vehicle Head*



*Lights.* Further amend said chapter 119 by inserting after section 28 the following new section: 28-a *Dimming Lights.* The operator of any motor vehicle upon approaching, overtaking, or while following within a distance of approximately one hundred and fifty feet of another motor vehicle on the public highway during the period from one-half hour after sunset to one-half hour before sunrise shall dim his headlights.

Further amend the bill by inserting after section 2 a new section to read as follows: 3. *Safety Device.* Amend said chapter 119 by inserting after section 5 the following new section: 5-a. *Trailer Break-away Safety Chains.* Every trailer or semi-trailer shall in addition to the tow-bar or coupling device have a safety chain or cable to prevent break-away from the towing vehicle. Each chain or cable shall have an ultimate strength at least equal to the gross weight of the trailer and load being towed. Chains or cables shall be connected to the towed and towing vehicle to prevent the tow-bar dropping to the ground in event the tow-bar fails. This provision shall not apply to truck-tractor and semi-trailer units equipped with fifth wheel mechanism.

Further amend the bill by renumbering section 3 to read section 4.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the resolution was adopted.

Mr. Pillsbury of Manchester moved that the bill as amended be referred to the Committee on Judiciary with specific instructions to study section 1 of the bill, only.

The question being on the motion.

(Discussion ensued)

Messrs. Pillsbury of Manchester and Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred Senate Bill No. 29, An Act relative to operation of motor vehicles at yield right-of-way signs, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### Special Order

Mr. Pillsbury of Manchester called for the Special Order, it being the committee reports for:

House Bill No. 260, An Act relative to sales and use tax for raising public money.

Inexpedient to legislate.

House Bill No. 324, An Act providing for a one per cent sales and use tax for education and to increase state funds.

Inexpedient to legislate.

Mr. Malley of Somersworth moved that House Bill Nos. 260 and 324 be made a Special Order of business for Tuesday, May 31, at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Messrs. Malley of Somersworth and Angus of Claremont spoke in favor of the motion.

Mr. Young of Pittsfield spoke against the motion.

On a *viva voce* vote the motion prevailed.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 32, An Act relative to the sale of narcotics to minors.

Senate Bill No. 80, An Act relative to removal of public officials and employees.

Senate Bill No. 89, An Act relative to purchases by the director of purchase and property.

Senate Bill No. 90, An Act relative to emergency purchases by the division of purchase and property.

Senate Bill No. 93, An Act legalizing certain action at the Plainfield School District meeting.

Senate Bill No. 97, An Act relative to the establishment of a centralized bureau for the reproduction of state documents.

Senate Bill No. 42, An Act relative to revenue of the department of health.

Senate Bill No. 103, An Act concerning Wolfeboro Village Fire precinct.

### **Senate Bills Read and Referred**

By Senator Caron of District No. 17, Senate Bill No. 32, An Act relative to the sale of narcotics to minors. To the Committee on Judiciary.

By Senator Smalley of District No. 21, Senate Bill No. 42, An Act relative to revenue of the department of health. To the Committee on Appropriations.

By Senator Adams of District No. 22, Senator LaRoche of District No. 20, Senate Bill No. 80, An Act relative to removal of public officials and employees. To the Committee on Executive Departments and Administration.

By Senator Ferguson of District No. 14, Senate Bill No. 89, An Act relative to purchases by the director of purchase and property. To the Committee on Executive Departments and Administration.

By Senator Ferguson of District No. 14, Senate Bill No. 90, An Act relative to emergency purchases by the division of purchase and property. To the Committee on Executive Departments and Administration.

By Senator Ainsworth of District No. 8, Senate Bill No. 93, An Act legalizing certain action at the Plainfield School District meeting. To the Committee on Executive Departments and Administration.

By Senator McMeekin of District No. 3, Senate Bill No. 97, An Act relative to the establishment of a centralized bureau for the reproduction of state documents. To the Committee on Judiciary.

Senate Bill No. 103, An Act concerning Wolfeboro Village Fire precinct. To the Committee on Executive Departments and Administration.

On motion of Mr. Wadleigh of Milford, the House adjourned from the morning session.

### Afternoon

The House was immediately called to order in afternoon session.

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow third readings of bills by their titles only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 189, An Act relating to the placing of fill in great ponds.

House Bill No. 285, An Act relative to the construction of a new library building and the remodeling of the present library building for instructional purposes at the University of New Hampshire, and to be liquidated from income.

House Bill No. 509, An Act relating to deposits by the state treasurer.

House Bill No. 527, An Act relative to sales of armories.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 29, An Act relative to operation of motor vehicles at yield right-of-way signs.

Senate Bill No. 79, An Act relative to the sale of cider.

### Vote Recorded

Mr. Soucy of Manchester rose to be recorded as voting "no" on the passage of Senate Bill No. 79, An Act relative to the sale of cider.

Senate Bill No. 88, An Act relative to the formation of railroad corporations.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

Senate Bill No. 6, An Act authorizing the appointment of county public trustees.

Read a third time and passed, and sent to the Senate for concurrence in the amendment.

On motion of Mrs. Hayward of Hanover at 3:43 o'clock the House adjourned.

TUESDAY, MAY 31, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, we beseech Thee, with Thy gracious favor to behold the universities, colleges and schools of this land, and especially Keene Teachers College, that knowledge may be increased among us, and all good learning flourish and abound. To those who teach give understanding and patience, and to those who are taught the desire to learn and the will to walk in the way of Thy commandments. Help us to always remember, O God, that Thou art the goal of all knowledge and the source of all truth. And at this time of the year when thousands of our young men and women are going forth from our many institutions of learning into that larger sphere of activity, and face to face with the stern realities of life's bitter problems, be Thou "a lamp unto their feet, and a light unto their path." Amen.

### **Salute to the Flag**

Mr. Craig of Manchester led the convention in the salute to the flag.

### **Keene Teachers College Glee Club and Choir**

The House listened with gratification to songs presented by the Keene Teachers College Glee Club and Choir, under the direction of Prof. Kiely.

On motion of Senator Lamontagne of District No. 1, a rising vote of thanks was given to the Glee Club and Choir.

### **Leaves of Absence**

Mr. Ford of Wolfeboro was granted leave of absence for the day on account of illness.

Mr. Bishop of Gorham was granted leave of absence indefinitely because of illness.

Messrs. Firestone of Claremont, Tobey of Hampton and Mrs. Hundley of Portsmouth were granted leaves of absence for the day on account of important business.

Messrs. Ecker of Manchester, Maxham of Concord, Merrill of Exeter, Stevenson of Bethlehem and Walker of Concord were granted leaves of absence for the week on account of important business.



### Introduction of Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Mr. Felch of Seabrook), House Bill No. 534, An Act legalizing certain meetings of the town of Seabrook. To the Committee on Executive Departments and Administration.

### Printing Dispensed With

On motion of Mr. Rainie of Concord, the rules were suspended, to dispense with the printing of House Bill No. 534, An Act legalizing certain meetings of the town of Seabrook.

### Personal Privilege

Mr. Burgess of Manchester rose on a point of personal privilege to present a list of the stockholders of the New Hampshire Jockey Club.

### Speaker's Ruling

The Speaker ruled the request of Mr. Burgess out of order at the present time.

### Committee Reports

Mr. Davis of Cornish, for the Committee on Agriculture, to whom was referred House Bill No. 496, An Act relative to the establishment of soil conservation districts, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of chapter 151 of the Laws of 1945 as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

#### 1. *Declaration of Policy; Definitions.*

I. It is hereby declared to be the policy of the state to provide for the establishment of soil conservation districts under the supervision of a state soil conservation committee, said districts to be composed of landowners and land occupiers within the districts, who may join together in the interest of conserving the soil and soil resources and preventing soil erosion, floodwater and sediment damages. It is the intent of this chapter to facilitate the joint effort of landowners and land occupiers in carrying out corrective conservation practices on their lands, voluntarily and with such assistance as may be

available for this purpose from local, state or federal governmental agencies.

II. As used in this chapter the following words shall have the following meanings:

a. "District" or "soil conservation district" means the territory included within the boundaries of a county, organized in accordance with the provisions of this chapter.

b. "Land occupier or occupier of land" includes any person who shall hold title to, or shall be in lawful possession of, three or more acres of land lying within a district organized under the provisions of this chapter.

c. "District supervisor" or "supervisor" shall mean a member of the governing body of a district appointed in accordance with the provisions of this chapter.

Amend section 2 of chapter 151, Laws of 1945, as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

2. *State Soil Conservation Committee.* There is hereby established, to serve as an agency of the state, the state soil conservation committee, which shall consist of the following five members: the director of the state agricultural extension service, the director of the state agricultural experiment station, the state agricultural commissioner and two farmers who shall be appointed by the governor with the advice and consent of the council to serve one and two years respectively and until their successors are appointed. The members of said committee shall serve without compensation, but the farmer members of said committee shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of their duties. It may adopt rules and regulations necessary for the execution of its functions hereunder and shall keep a record of its official actions. It may employ such employees as it requires and fix their compensation subject to the rules and regulations of the division of personnel.

Amend section 4 of said chapter 151 as inserted by section 1 of said bill by inserting after the word "erosion" in the twenty-second line the words, floodwaters and sediment damages and need for land drainage, so that said section as amended shall read as follows:

4. *Creation of Soil Conservation Districts.* There are hereby established, as governmental subdivisions of this state and public bodies corporate and politic, ten soil conservation districts as follows: (1) each of the ten counties within the state is hereby incorporated into a soil conservation district; (2) each of the ten districts shall be known by the name of the county to which its boundaries conform. Immediately upon the passage of this chapter the ten soil conservation districts shall become duly established districts. Upon the appointment of the district supervisors as hereinafter provided the districts shall become duly organized and thereafter the districts and the supervisors thereof shall have all the powers and duties conferred upon them by this chapter, provided, however, that no such district shall exercise any of the powers conferred on districts or the supervisors thereof under this chapter until after the state soil conservation committee shall adopt a resolution determining that there is need, in the interest of public health, safety and welfare, for such district to function and that a substantial proportion of the land occupiers of such districts are in favor of its operation. In making such determinations the committee may accept petitions and conduct such public meetings and referenda as they deem necessary, and shall give due consideration to the distribution and intensity of erosion floodwaters and sediment damages and need for land drainage on lands within the said district, and to other relevant factors. From and after the date of adoption by the committee of a resolution in favor of the operation of a particular district, such district shall be deemed to be duly organized, and the supervisors of such district shall thereupon be entitled to exercise the powers conferred on them by this act. A certified copy of such resolution shall be evidence of the due organization of such districts.

Amend section 3 of said chapter 151 as inserted by section 1 of said bill by inserting at the end thereof the following new paragraph:

VI. It shall be the duty and responsibility of the state committee to establish satisfactory cooperative arrangements and to avoid duplication between the districts and other federal, state or county agencies which have similar responsibilities.

Amend section 6 of said chapter 151 as inserted by sec-

tion 1 of said bill by striking out said section and inserting in place thereof the following:

6. *Organization; Term of Office.* The supervisors of each district shall designate a chairman and may from time to time change their chairman. The term of office of each supervisor shall be three years, excepting that for those first appointed there shall be one for one year, two for two years, and two for three years. A supervisor may succeed himself in office and he shall hold office until his successor has been appointed and has qualified. Vacancies shall be filled for an unexpired term and removal from the district shall constitute a vacancy. Successors to fill an unexpired term, or a full term, shall be appointed by the state soil conservation committee. A majority of the supervisors shall constitute a quorum and the concurrence of a majority in any matter within their duties shall be required for its determination. A supervisor shall receive no compensation for his services, but he shall be entitled to expenses, including traveling expenses, necessarily incurred in the discharge of his duties.

Amend section 7 of said chapter 151 as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

7. *Employees; Duties.* The supervisors may employ such employees as they may require and shall determine their qualifications, duties, and compensation. The supervisors may delegate to their chairman, to one or more supervisors, or to one or more agents or employees, such powers and duties as they may deem proper. The supervisors shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property; shall provide for the keeping of a full and accurate record of all proceedings; and shall provide for an annual audit of the accounts of receipts and disbursements. The supervisors shall furnish to the state soil conservation committee, upon request, copies of their proceedings and other documents as they shall adopt or employ, and such other information concerning their activities as it may require in the performance of its duties under this chapter.

Amend section 8 of said chapter 151 as inserted by sec-

tion I of said bill by striking out said section and inserting in place thereof the following:

8. *Powers of Districts and Supervisors.* A soil conservation district organized under the provisions of this chapter, and the supervisors thereof, shall have the following powers, in addition to others granted in other sections of this chapter:

I. To conduct surveys, investigations, and research relating to the character of soil erosion and floodwater and sediment damages and land drainage and the preventive and control measures needed, to publish the results of such surveys, investigations, or research, and to disseminate information concerning such preventive and control measures; provided, however, that in order to avoid duplication of research activities, no district shall initiate any research program except in cooperation with the government of this state or any of its agencies, or with the United States or any of its agencies;

II. To conduct demonstrational projects within the district on lands owned or controlled by this state or any of its agencies, with the cooperation and consent of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands, in order to demonstrate by example the means, methods, and measures by which soil and soil resources may be conserved, and soil erosion in the form of soil blowing and soil washing may be prevented and controlled, and land may be drained and floodwater and sediment damages may be prevented;

III. To carry out preventive and control measures within the district including, but not limited to, engineering operations, methods of cultivation, the growing of vegetation, the drainage of land and changes in use of land, and measures for the prevention of floodwater and sediment damages, on lands owned or controlled by this state or any of its agencies, with the cooperation and consent of the agency administering and having jurisdiction thereof, and on any other lands within the district upon obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands;

IV. To cooperate, or enter into agreements with and to



furnish financial or other aid to, any agency, governmental or otherwise, or any occupier of lands within the district, in the carrying on of erosion-control and flood-prevention and drainings operations within the district, subject to such conditions as the supervisors may deem necessary to advance the purposes of this chapter;

V. To obtain options upon and to acquire, by purchase, exchange, lease, gifts, grant, bequest, devise, or otherwise, any property, real or personal, or rights or interests therein; to maintain, administer, and improve any properties acquired, to receive income from such properties and to expend such income in carrying out the purposes and provisions of this chapter; and to sell, lease, or otherwise dispose of any of its property or interests therein in furtherance of the purposes and the provisions of this chapter;

VI. To make available, on such terms as it shall prescribe, to land occupiers within the district, agricultural and engineering machinery and equipment, fertilizer, seeds, and seedlings, and such other material or equipment, as will assist such land occupiers to carry on operations upon their lands for the conservation of soil resources and the drainage of land and for the prevention and control of soil erosion and for the prevention of floodwater and sediment damages;

VII. To construct, improve, operate and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this chapter;

VIII. To develop comprehensive plans for the conservation of soil resources and for the control and prevention of soil erosion and for land drainage and for the prevention of floodwater and sediment damages within the district, which plans shall specify in such detail as may be possible, the acts, procedures, performances, and avoidances which are necessary or desirable for the effectuation of such plans, including the specification of engineering operations, methods of cultivation, the growing of vegetation, cropping programs, tillage practices, and changes in use of lands; and to publish such plans and information and bring them to the attention of occupiers of lands within the district;

IX. To take over, by purchase, lease, or otherwise, and to administer, any soil-conservation, drainage, flood-prevention, erosion-control, or erosion-prevention project, or com-

bination thereof, located within its boundaries undertaken by the United States or any of its agencies, or by this state or any of its agencies; to manage, as agent of the United States or any of its agencies, or of this state or any of its agencies, any soil-conservation, drainage, flood-prevention, erosion-control, or erosion-prevention project, or combinations thereof, within its boundaries; to act as agent for the United States, or any of its agencies, or for this state or any of its agencies, in connection with the acquisition, construction, operation, or administration of any soil-conservation, drainage, flood-prevention, erosion-control, or erosion-prevention project, or combinations thereof, within its boundaries; to accept donations, gifts, and contributions in money, services, materials, or otherwise, from the United States or any of its agencies, or from this state or any of its agencies, and to use or expend such moneys, services, materials, or other contributions in carrying on its operations;

X. As a condition to the extending of any benefits under this chapter to, or the performance of work upon, any lands not owned or controlled by this state or any of its agencies, the supervisors may require contributions in money, services, materials, or otherwise to any operations conferring such benefits, and may require land occupiers to enter into and perform such agreements or covenants as to the permanent use of such lands as will tend to provide drainage, prevent or control erosion and prevent floodwater and sediment damages thereon.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Takes Effect.* This act shall take effect as of August 1, 1955.

The report was accepted, the amendment laid upon the table under Rule No. 48.

Mr. Merrill of Exeter, for the Committee on Banks, to whom was referred House Bill No. 462, An Act relating to investments of savings banks, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out section 2.

Amend the bill by inserting after section 12 the following new sections:

13. *New Hampshire Real Estate.* Amend paragraph I of section 4 of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (paragraph I of section 4, chapter 387, RSA) by inserting after the word "title" in the forty-first line the following: or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally agreed to purchase, so that said paragraph as amended shall read as follows: I. *New Hampshire Real Estate.* Those directly secured by first mortgage on real estate situated within this state or within any state contiguous to this state; but no such investment shall be in a loan that exceeds seventy per cent of the value of the real estate by which it is secured; except that investment may be in a loan which exceeds seventy per cent but not eighty per cent of the value of the real estate by which it is secured, provided that it be secured by a first mortgage on real estate in this state containing a dwelling unit for not more than four families, and which mortgage shall provide for payment of the note within a period of twenty years from the date when the first monthly payment shall become due, and the first monthly payment shall become due nine months from the date of the note or one month from the final disbursement of funds, whichever shall first occur, and which payments shall include a proportionate share of the amount necessary to pay the real estate and other taxes upon such property. No loan on mortgage shall be made except upon written application showing the date, name of applicant, amount asked for and security offered and except upon report of not less than two members of the board of trustees or board of directors, who shall certify on said application, according to their best judgment, on the basis of an appraisal made by one of their members, or by some officer of the bank, or some appraiser employed by the bank for the purpose of appraisal, the value of the premises to be mortgaged; and such application shall be filed and preserved with the records of the corporation. The premises so mortgaged shall be revalued in the same manner at intervals of not more than five years so long as they are mortgaged to the corporation. If at the time of such revaluation the amount of the loan is in excess of the percentage of the value of the premises mortgaged as allowed above, a sufficient reduction in the amount of the loan shall be required, as promptly as may be practical, to bring the loan

to within the authorized percentage. In determining whether any loan exceeds the authorized percentage of the value of the real estate, no consideration shall be given to (1) that portion of the obligation which is guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time, or (2) an obligation wholly guaranteed under such title or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally agreed to purchase, nor shall any bank be restricted to the above authorized percentages on a loan secured by property which the borrower is purchasing from the bank.

14. *Other Real Estate.* Amend paragraph IV of section 4 of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (paragraph I of section 4, chapter 387, R S A) by inserting after the word "title" in the sixteenth line the following: or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally agreed to purchase, so that said paragraph as amended shall read as follows: IV. *Other Real Estate.* Those directly secured by first mortgage or real estate situated without this state, but entirely within the United States, except as provided in paragraph I, which at the time of such investment is improved, occupied and productive; and no such investment shall be in a loan that exceeds fifty per cent of the value of the real estate by which it is served, unless the loan is further secured by a guaranty satisfactory to the commissioner, in which case it shall not exceed sixty per cent of the value of the real estate by which it is secured. In determining whether any loan exceeds the above specified percentages of the value of the real estate, no consideration shall be given to (1) that portion of the obligation which is guaranteed by the Administrator of Veterans' Affairs under Title III of the Servicemen's Readjustment Act of 1944, as amended from time to time or (2) an obligation wholly guaranteed under such title or (3) that portion of any loan or obligation which the Small Business Administration has unconditionally agreed to purchase, nor shall any bank be restricted to the above authorized percentages on a loan secured by property which the borrower is purchasing from the bank. The provisions of this paragraph shall not apply to bonds of railroads, utilities, water companies or telephone and telegraph



companies. No loan or investment shall be made under this paragraph upon real estate situated outside of New England except through or from an individual, partnership, association or corporation duly registered as a dealer in securities in this state, nor except upon written application showing the date, name of applicant, amount asked for and security offered.

15. *Purchase, Sale and Servicing of Loans.* Amend chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (chapter, 387, R S A) by inserting after section 21 the following new section. 21-a. *Purchase, Sale and Servicing of Loans.* Any savings bank may sell, transfer, assign, purchase and repurchase loans authorized by this chapter and may act as servicing agent for the collection and application of payments due on account of loans owned by others and may employ others to act as servicing agents for the collection and application of payments due on account of loans owned by it.

16. *Collateral Loans.* Amend section 5 of chapter 310 of the Revised Laws as inserted by chapter 195, Laws of 1953 (section 5, chapter 387, R S A) by inserting after paragraph III the following new paragraph: III-a. Notes eligible for insurance by the Federal Housing Commissioner, provided a contract of insurance exists between the holder and the Federal Housing Commissioner as provided in Title I of the National Housing Act.

17. *Unsecured Loans.* Amend paragraph IV of said section 5 by striking out all after the word "note" in the twelfth line so that said paragraph as amended shall read as follows: IV. *Unsecured.* Notes with two or more signers, or one or more endorsers, or notes or noncorporate makers whose net worth is not less than two hundred and fifty thousand dollars. No savings bank shall invest under this paragraph, except in notes with two or more signers, or one or more endorsers, unless its guaranty fund is full and unimpaired and the total value of its assets as determined by the commissioner exceeds the amount of its deposits by at least ten per cent. A bank which takes under this paragraph a note payable on demand shall demand payment of said note not later than one year from the date thereof, but may accept a new note in payment of such demand note.



18. *Investments of Savings Banks. Limitations.* Amend paragraph I of section 3 of chapter 310 of the Revised Laws as inserted by chapter 195 of the Laws of 1953, (section 3, chapter 387, R S A) by striking out said paragraph and inserting in place thereof the following: I. Not exceeding fifteen per cent of the capital funds shall be invested in the obligations or stock of any individual, partnership or corporation except public obligations and loans authorized by paragraphs II and III of section 4 of this chapter. Notwithstanding the foregoing a bank having deposits of one million five hundred thousand dollars or less may invest an amount not exceeding two and one-half per cent of said deposits or fifteen per cent of capital funds, whichever is greater, in loans authorized by paragraph I of section 4 of this chapter.

Further amend the bill by renumbering sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 to read sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 19 respectively.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 388, An Act prohibiting hunting on Sunday, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Aho of New Ipswich moved to substitute the words "ought to pass."

The question being on the motion.

(Discussion ensued)

Mr. Aho of New Ipswich spoke in favor of the motion.

Messrs. Clement of Rochester and Bisbee of Derry spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution of the committee.

On a *viva voce* vote the resolution of the committee was adopted.

### Point of Order

Mr. Pickett of Keene rose to a point of order and asked if papers not approved by the Screening Committee could be distributed to members of the House.

### Speaker's Ruling

Personal Privilege

Right to distribute papers

Rule 13

A member of the House asked for the floor on a point of personal privilege and then offered a list of names to the Chair for publication. This effort was made before the introduction of Committee reports. The alleged privilege pertained to a bill which was still on reconsideration at a later date. The Chair ruled the member out of order, but agreed to recognize him later when the bill came up for discussion. Immediately after being denied the floor, the member then distributed the printed lists through the House. This raised the question as to what "personal privilege" involved, and the right of a member to distribute papers not approved by the Screening Committee.

Clearly the personal privilege was not well taken, for, "the right of a member to take the floor on a matter of personal privilege should be confined to a reply to remarks or charges which have been made against him in his capacity as a representative". Journal of 1951, Page 1270. Also see *ibid* wherein it was stated "comments of a general nature on matters not affecting a representative, personally, are not in order under personal privilege." The request, therefore, for the floor on the grounds of personal privilege could not be granted where the member asked to publish a list of names. (Mason—sections 222, 223).

As to the right of members to distribute printed matter not first approved by the Screening Committee, the decision must be based upon the resolution adopted in the session of January 20, 1955 which was "That the Speaker be authorized to appoint a committee of three to screen all literature and other publications which private organizations and others desire to have distributed to members in their seats."

Read in its broadest sense, and to give the members of the House the benefit of the rule, this simply means that literature which is proposed for distribution from outside sources, that

is, sources which are not connected with the House, and which is inaugurated by a group acting through a spokesman, should be screened by a special committee. It seems to have been directed to organizations which may or may not be in a position to influence legislation. Its purpose is obviously to prevent dissemination of literature of a scurrilous or obnoxious nature as well as material which might be mere advertising.

Does it apply to members of the House? No, for it definitely recites "to have distributed to members in their seats"—clearly indicating that permission must be given to do what would otherwise not be possible. In this case, the material for which permission to publish by distribution was requested, and for which permission was neither given nor denied, (because the member did not have the floor) was the essence of a Bill then, or about to be, under discussion. It is obvious that when the Bill did arise for debate, the member could have exercised his right in debate and told the House that which was contained in the pamphlet. Distribution of the information was the ultimate purpose, and it made no difference that it was verbal or written and disseminated.

Under Rule 13 "If any member transgress the rules of the House, the Speaker shall, or any member may call him to order —" The resolution is clear: It does not apply to members, hence the Speaker was under no duty to exercise Rule 13 on the member in question. It may be that the member was ungracious to those who opposed the legislation, but it is clear that he violated no rule of the House by his act of distributing printed information which he might otherwise have given in debate.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 275, An Act relative to taking deer, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 398, An Act relative to civil defense, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Civil Defense Act.* Amend section 5 of chapter 304 of the Laws of 1949, as amended by chapter 204, Laws of 1951, and chapter 224, Laws of 1953 (chapter 107, RSA) by adding at the end thereof the following new paragraph: IX. To direct and control pedestrian and vehicular traffic, transportation and communication facilities, public utilities and the movement and conduct of all persons within the state, during practice blackouts, drills, and tests and immediately prior and subsequent thereto, provided, however, that, nothing in this chapter to the contrary notwithstanding, the power to direct and control transportation and communications facilities and public utilities during practice blackouts, drills and tests, and immediately prior and subsequent thereto, shall not be delegable except to such responsible officers or agents of the public utilities and transportation or communications systems affected as may be designated by the respective presidents or vice-presidents thereof.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Frizzell of Charlestown, for the Committee on Judiciary, to whom was referred House Bill No. 516, An Act relative to powers and duties of the town of Littleton and repealing the charter of the Littleton Village District, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 3 of said bill by striking out the last sentence and inserting in place thereof the words, The Office of highway agent is hereby abolished and the term of office of road agents now serving shall terminate as of December 31, 1955, so that said section as amended shall read as follows: 3. *Superintendent of Public Works.* The selectmen of the town of Littleton shall appoint a superintendent of public works for the town who shall serve at the pleasure of said selectmen and shall, under the supervision of the selectmen have charge of all roads, bridges, sewers and sidewalks in the town. The office of highway agent is hereby abolished and the term of office of road agents now serving shall terminate as of December 31, 1955.

Amend section 4 of said bill by striking out the words "and commons" in the ninth line and inserting in place thereof the words, commons and recreational activities, so that said section as amended shall read as follows: 4. *Park Commissioners*. On and after the date of the passage of this act there shall be a board of three park commissioners in the town of Littleton. Said commissioners shall be elected by the town at the annual town meeting and the term of office of each shall be three years, provided that at the first election hereunder one shall be elected for a term of three years, one for a term of two years, and one for a term of one year. Vacancies as they occur shall be filled for the unexpired term only. Said commissioners shall have charge of all playgrounds, parks, commons and recreational activities in the town of Littleton.

Amend section 5 of said bill by striking out the words "road agents" in the third line and inserting in place thereof the words, village park commission, so that said section as amended shall read as follows: 5. *Present Commissioners*. If this act is adopted the term of office of the village commissioners then in office shall terminate as of December 31, 1955 and the term of office of the elected village park commission then in office shall terminate as of December 31, 1955.

Amend section 12 of said bill by striking out the same and inserting in place thereof the following:

12. *Special Tax*. For the defraying of the costs of construction, payment of the interest on any debt incurred, management, maintenance, operation and repair of newly constructed sewer systems and new sidewalks and the cost of maintaining existing sidewalks and sewers and hydrant rental; the selectmen shall establish a separate inventory of all property that has abutting sidewalks or sewer connections or is within five hundred feet of a hydrant and shall assess against such property a special tax to cover the cost of the same. Collection to be made in the same manner as real estate taxes, with similar rights of appeal.

Further amend said bill by inserting after section 16 the following new section:

16. *Repeal*. If the act is adopted by the referendum herein provided all acts or parts of acts inconsistent herewith are repealed in so far as the town of Littleton is concerned.



Further amend said bill by renumbering section 16 to read section 17.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Gauthier of Manchester, for the Committee on Liquor Laws, to whom was referred House Bill No. 523, An Act relative to the definition of the word beverage, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by inserting after the word "consumption" in the sixth line the words, as a beverage, so that said section as amended shall read as follows: 1. *Definitions.* Amend paragraph II of section 1 of chapter 170 of the Revised Laws (paragraph II, section 1, chapter 175, R S A) by striking out said paragraph and inserting in place thereof the following: II. "Beverage," any beer, lager beer, ale, porter, wine, similar fermented malt or vinous liquors and fruit juices and any other liquid intended for human consumption as a beverage containing one per cent or more alcohol by volume and not more than six per cent of alcohol by volume at sixty degrees Fahrenheit.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Deans of Milford, for the Committee on Municipal and County Government, to whom was referred House Bill No. 146 (In New Draft), An Act relating to public dumps, having considered the same, reported the same in second new draft and new title with the recommendation that the bill in its second new draft and with its new title be recommitted to the Committee on Municipal and County Government.

The report was accepted and the recommendation of the committee adopted.

### **Introduction of a Bill**

House Bill No. 146 (In New Draft and New Title), An Act relating to public dumps. Read a first and second time and laid upon the table to be printed and recommitted to the Committee on Municipal and County Government.

Mr. Pillsbury of Sandown, for the Committee on Resources, Recreation and Development, to whom was referred House Bill

No. 346, An Act changing the effective date of the classification of certain waters of the Piscataquog river and its tributaries, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by existing legislation.

The report was accepted, and the resolution of the committee adopted.

### Special Order

Mr. Pickett of Keene called for the Special Order, it being the committee reports on House Bills No. 260 and No. 324.

Mr. Lesmerises of Manchester, for the Committee on Ways and Means, to whom was referred House Bill No. 260, An Act relative to sales and use tax for raising public money, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Bradley of Hanover moved that the words "ought to pass" be substituted for that of inexpedient to legislate.

The question being on the motion.

(Discussion ensued)

Messrs. Bradley of Hanover and Vogel of Canterbury spoke in favor of the motion.

(Mr. Scamman of Stratham in Chair)

Messrs. Buckley of Mont Vernon, Malley of Somersworth, and Pillsbury of Manchester, and Mrs. Funkhouser of Durham spoke in favor of the motion.

Mr. Pickett of Keene asked and permission was given to allow the remarks of Mr. Malley to be tape recorded.

Messrs. Young of Pittsfield and Pickett of Keene, and Mrs. Ramsdell of Nashua spoke against the motion.

Mr. Dana of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to substitute the words "ought to pass."

On a *viva voce* vote the motion did not prevail.

The question being on the resolution of the committee.

On a *viva voce* vote the resolution of the committee was adopted.

Mrs. Gardner of Gilford, for the Committee on Ways and Means, to whom was referred House Bill No. 324, An Act providing for a one per cent sales and use tax for education and to increase state funds, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

(Speaker in Chair)

### Reconsideration

Mr. Eldredge of Exeter moved that the House reconsider its vote whereby the House voted to indefinitely postpone House Bill No. 297, An Act making certain records relative to race meets available to the public. The question being on the motion.

(Discussion ensued)

Messrs. Eldredge of Exeter, Lamprey of Moultonborough, Rainie of Concord, and Mrs. Atwood of Sanbornton spoke in favor of the motion.

Mr. Rainie of Concord called for a division.

A division being had, 146 members having voted in the affirmative, and 141 members having voted in the negative, the motion to reconsider prevailed.

Mr. Soucy of Manchester, Ward 1, demanded the yeas and nays, and the roll was called with the following result:

### Yeas—158

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Farwell, Herrick, Hambleton, Jennings, Poore, Reed, Hadley, Abbott, Latour, Lang of Manchester, Fitzgerald, Craig, Langlois, Lavoie, Auger, Hurley, Dion of Manchester, Gamache, Deans, Falconer, Wadleigh, Buckley, Cummings, Saunders, Boire, Belcourt, Trombley, Brosnahan, Pappagianis, Locke, Aho, Dutton, Rice, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Burnham, Thomas, Smith of Hinsdale, Perry, Haley, Kirk, Wheeler, Bennett, Brown of Keene, Coddington, Brown of Marlow, Terrill, Billings, Ingham.

SULLIVAN COUNTY: Bascom, Frizzell, Bissonett, Millar, Nelson of Goshen, Bailey, Pierce.

GRAFTON COUNTY: Ramsey, Pryor, Chamberlin of Bath, Clarke of Canaan, Sanborn, Bradley, Holden, Cole, Townsend, Kelley, Frazer, Talbot, Carr, Bell.

COOS COUNTY: Hurlbert, Ferguson, Cornelius, Converse, Phelan, Baker.

ROCKINGHAM COUNTY: Griffin of Auburn, Tenney, Barka, Bisbee, Eldredge, Rathbone, Weeks of Greenland, Hunter, Thurlow, Battles, Parmenter, Carter, Dondero, Sadler, Murch, Travis, Wardwell, Munz, Philbrick, Scamman.

STRAFFORD COUNTY: Chase, Moher, Felker, Webb, Pearson, Funkhouser, Littlehale, Nute, Dustin, St. Pierre, Studley, Clement of Rochester, Green, Malley.

BELKNAP COUNTY: Skinner, McAllister, Gardner of Gilford, Rogers, Morin, Simoneau, Tilton, Ballentine, Burbank, Varrell, Smith of Meredith, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Roberts, Stokes, Nickerson of Madison, Lamprey, Hayden, Remick, Hodgdon, Weeks of Wolfeboro.

MERRIMACK COUNTY: Ellsworth, Vogel, Stevens, Dowd, Ferrin, Colbath, Hancock, Rainie, Cilley, Maxham, Anderson, Nutter, Broadhurst, Charland, Dempsey, Carpenter, DuDevoir, Davis of Hopkinton, Thibeault of Pembroke, Ayer of Pittsfield, Lovejoy, Bigelow, Bean.

#### Nays—154

HILLSBOROUGH COUNTY: Wiggin, Jones of Frankestown, Fortin, Spaulding, Pettigrew, Soucy of Manchester, Ward 1, Danforth, Geisel, Mahony of Manchester, Pillsbury of Manchester, Robb, Dwyer, Horan, Sullivan, Kean, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Casey, Healy of Manchester, Ward 6, Slowey, Corey, Tessier, Delisle, Constant, Morris, Schricker, Alexander, Lareau, Soucy of Manchester, Ward 12, Gauthier, Gelinas, Lesmerises, Cannon,

Donnelly, Peaslee of Merrimack, Peterson, Thibault of Nashua, Maynard, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Langelier, Bouthillier, Dumais.

CHESHIRE COUNTY: Spofford, McCullough, Faulkner, Pickett, Waling, Carlton, Sherwin, Bouvier, Lang of Troy, Rhodes, Thompson.

SULLIVAN COUNTY: Angus, Bloomfield, Howe, Davis of Cornish, Reney, Rowell, Vaughan of Newport, Gamsby, DeLude.

GRAFTON COUNTY: Plumer, Hayward, Larty, Chamberlain of Holderness, Adams, Ashley, Perley, Collyer, Gardner of Littleton, Martin, Huckins, Barney, Sawyer.

COOS COUNTY: Fortier, Sheridan, Brungot, Bouchard, Fontaine, Gagnon, Rines, Alls, Ross, Bushey, Charbonneau, Stinson, Taylor.

ROCKINGHAM COUNTY: Dudley, Shattuck, Fogg, Clarke of Derry, Gay of Derry, Nickerson of East Kingston, Blair, Eastman of Exeter, Jones of Fremont, Spollett, Labranche, Cheney, Palmer, Barrett, Payette, Quirk, Haigh, Willis, Anna, Willis, Howard, Pillsbury of Sandown, Felch, Robinson of South Hampton, Waterhouse.

STRAFFORD COUNTY: Swain, Connell, Crandall, Flanagan, Chadbourn, Rolfe, Nadeau, Brown of Strafford.

BELKNAP COUNTY: Hart, Karagianis, O'Shan, Dana, Miner.

CARROLL COUNTY: Downs.

MERRIMACK COUNTY: Baron, Phelps, Vaughn of Bow, Davis of Concord, Henry, Shea of Concord, Lessels, Corbett, Jewett, McKee, Mahoney of Concord, Comi, Burke, Mason, Mulaire, Brown of Loudon, Milligan, Gay of New London, Wilman, Young, Workman.

And the motion to reconsider prevailed.

The question recurs on the motion offered by Mr. Pillsbury of Manchester to recommit.

The question being on the motion.

(Discussion ensued)



Mr. Rainie of Concord spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the amendment offered by the committee.

Mr. Lamprey of Moultonborough spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

### Report of Committee on Engrossed Bills

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 82, An Act to amend the charter of the Cheshire County Savings Bank of Keene, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first five lines and inserting in place thereof the following:

1. *Cheshire County Savings Bank.* Amend section 2 of chapter 193 of the Laws of 1897, being the charter of Cheshire County Savings Bank of Keene, by striking out the figure "\$5,000" and inserting in place thereof the figure, \$10,000, so that said section as amended shall read as follows:

On motion of Mr. Rainie of Concord the House voted to adopt the amendment offered by the Committee on Engrossed Bills.

The bill was sent to the Senate for concurrence.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 413, An Act relative to the payment of motor vehicle road tolls by counties, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the payment of motor road tolls by counties, and reports to the motor vehicle commissioner on sales of motor fuel for boats.

On motion of Mr. Downs of Conway the House voted to adopt the amendments offered by the Committee on Engrossed Bills.

The bill was sent to the Senate for concurrence.

Mesdames Hundley of Portsmouth and Palmer of Plaistow, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House and Senate bills and House Joint Resolutions:

House Bill No. 293, An Act providing penalties for throwing refuse on public waters and lands bordering the same.

House Bill No. 358, An Act relative to fees for business, voluntary and foreign corporations.

House Bill No. 447, An Act amending the charter of the city of Claremont.

House Bill No. 502, An Act relative to the salaries of the sheriff and treasurer of Coos county.

House Bill No. 503, An Act relative to funds for development of the Port of Portsmouth.

House Bill No. 520, An Act changing the name of Claremont Building and Loan Association to Claremont Cooperative Bank.

House Joint Resolution No. 33, Joint Resolution in favor of Harry Pierce.

House Bill No. 311, An Act relative to the construction of a dormitory for women at the University of New Hampshire, and to be liquidated from income.

Senate Bill No. 52, An Act relative to increasing certain penalties.

Senate Bill No. 59, An Act relating to indebtedness of the city of Manchester.

Senate Bill No. 76, An Act relative to assessment of damages and basis of liability for change of grade in construction or maintenance of highways in towns.

House Bill No. 58, An Act providing for the classification of certain surface waters in Cheshire county.

House Bill No. 200, An Act relative to the powers of the board of medical examiners.

House Bill No. 514, An Act legalizing the annual meeting in the town of Springfield.

House Joint Resolution No. 56, Joint Resolution in favor of the estate of Edith P. Atkins.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 403, An Act relating to the preservation of private business records and to make uniform the law with reference thereto.

Amend section 5 of the bill by striking out the entire section and inserting in place thereof the following new section: 5. *Construction.* This chapter shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it; but it shall not be interpreted and construed as requiring the preservation of business records for any longer period than they are now required by law to be preserved.

On motion of Mr. Rainie of Concord, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 51, An Act relative to evidence of membership or participation in subversive organizations.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act relative to evidence of membership or participation in subversive organizations.

Amend section 1 of said bill by striking out all before the paragraph numbered (2) and inserting in place thereof the following:

1. *Membership or Participation in Subversive Organizations.* Amend chapter 457-A of the Revised Laws, as inserted by chapter 193, Laws of 1951 (section 3, chapter 588, RSA) by inserting after section 3 the following new sections: 3-a.

*Evidence of Membership or Participation.* In determining membership or participation in a subversive organization or a foreign subversive organization as defined in this chapter, or knowledge of the purpose or objective of such organization, the jury, under instructions from the court, may consider evidence, if presented, as to whether the accused person to his knowledge: (1) has been listed as a member in any book or any of the lists, records, correspondence, or any other document of the organization:

Amend paragraph (7) of section 1 of said bill by striking out the words "to his knowledge" so that said paragraph as amended shall read as follows: (7) Has been accepted as an officer or member of the organization or as one to be called upon for services by other officers or members of the organization:

Further amend said bill by inserting after section 3-a as inserted by section 1 of the bill, the following:

3-b. *Construction.* Nothing in section 3-a shall be construed to limit the supervisory power of the court over the admission and exclusion of evidence or over the sufficiency of the evidence as a whole.

Amend paragraph (14) of section 1 of said bill by striking out the words "the Communist Party or any other organization" and inserting in place thereof the words, a subversive organization or a foreign subversive organization, so that said paragraph as amended shall read as follows:

(14) The enumeration of the above subjects of evidence on membership or participation in a subversive organization or a foreign subversive organization as above defined, shall not limit the inquiry into and consideration of any other subject of evidence on membership and participation as herein stated.

On motion of Mr. Faulkner of Keene the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of

which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 506, An Act relative to the salary of the justice of the Keene municipal court.

Amend section 1 of said bill by inserting after the third line the following, and chapter 133 of the Laws of 1955.

Further amend said section 1 by striking out the words "in Portsmouth, one thousand eight," and inserting in place thereof the words, in Portsmouth, two thousand five.

On motion of Mr. Bennett of Keene, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution, sent up from the House of Representatives:

House Bill No. 58, An Act providing for the classification of certain surface waters in Cheshire county.

House Bill No. 200, An Act relative to the powers of the board of medical examiners.

House Bill No. 293, An Act providing penalties for throwing refuse on public waters and lands bordering the same.

House Bill No. 493, An Act relative to tax exemption for certain installations controlling the disposal of industrial wastes.

House Bill No. 502, An Act relative to the salaries of the sheriff and treasurer of Coos County.

House Bill No. 506, An Act relative to the salary of the justice of the Keene municipal court.

House Bill No. 514, An Act legalizing the annual meeting in the town of Springfield.

House Joint Resolution No. 33, Joint Resolution in favor of Harry Pierce.

House Bill No. 447, An Act amending the charter of the city of Claremont.

The message further announced that the Senate had voted



to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 72, An Act relating to publication of report of audit.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 250, An Act relative to the forestry and recreation insurance coverage.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 415, An Act relative to neglect of husband or father to support wife and children and neglect of mother, and relative to temporary court orders in annulment proceedings and divorces.

Amend said bill by inserting after section 2 the following new sections:

3. *Annulment Proceedings.* Amend chapter 339 of the Revised Laws (chapter 458, RSA) by inserting after section 14 the following new section: 14-a. *Temporary Orders.* After the filing of a libel for annulment or for a decree of nullity by a husband, the superior court, or any justice thereof, may, on petition of the wife, order a temporary allowance to be paid to the wife by the husband for her support during the pendency of the libel, and on petition of either party, may make such order respecting the custody and maintenance of the minor children of the parties as shall be deemed expedient and for the benefit of the children.

4. *Orders in Cases of Out of State Divorce.* Amend chapter 339 of the Revised Laws (chapter 458, RSA) by inserting after section 16 the following new section: 16-a. *Alimony and Support.* The superior court shall have jurisdiction to make such orders of alimony to a divorced wife or of support to the children of divorced parents as justice shall require in cases where the decree of divorce was not granted

in this jurisdiction even though said divorce decree makes provision for alimony and support, provided the wife and children are domiciled in this jurisdiction and the husband is served with process in this jurisdiction.

Further amend said bill by renumbering section 2 to read section 5.

On motion of Mr. Faulkner of Keene, the House non-concurred in the adoption of the amendments sent down from the Honorable Senate, and asked for a Committee of Conference.

The Speaker appointed as members of such Committee on the part of the House, Messrs. Faulkner of Keene and Craig of Manchester, and Mrs. DeLude of Unity.

The message further announced that the Senate had voted to non-concur with the House of Representatives in the amendment to the following entitled bill:

Senate Bill No. 35, An Act to provide for the publication and distribution of the Revised Statutes Annotated of the State of New Hampshire, and asks for a Committee of Conference.

Pursuant to the above motion, the President appointed as members of such committee on the part of the Senate, Senators Cleveland, District No. 7, and Matthews, District No. 5.

On motion of Mrs. Holmes of Amherst, the House voted to accede to the request of the Senate for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House, Mrs. Holmes of Amherst and Messrs. Sheridan of Berlin and Scamman of Stratham.

The Senate had voted to non-concur with the House of Representatives in the adoption of the amendments, and requested a Committee of Conference on Senate Bill No. 83, An Act relative to Colby Junior College Highway and Sutton road.

Pursuant to the above motion, the President appointed as members of said committee on the part of the Senate, Senators Powell of District No. 9, and Ainsworth of District No. 8.

On motion of Mr. Rogers of Laconia, the House voted to accede to the request of the Senate for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House, Mr. Rogers of Laconia, Mrs. DeLude of Unity and Mr. Gay of New London.

The Senate had voted to non-concur with the House of Representatives in the amendment to Senate Bill No. 11, An Act relative to education of children placed in homes for children, and asked for a Committee of Conference.

Pursuant to the above motion, the President appointed as members of such committee on the part of the Senate, Senators Cleveland, District No. 7, and Landers, District No. 10.

On motion of Mr. Vaughan of Newport, the House voted to accede to the request of the Senate for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House, Messrs. Vaughan of Newport, Metcalf of Tilton and Ford of Wolfeboro.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 105, An Act relative to the Granite State Building & Loan Association.

Senate Bill No. 106, An Act relative to the authority of the United Baptist Church of Somersworth to hold property.

### **Senate Bills Read and Referred**

By Senator J. Paul LaRoche of District No. 20, Senate Bill No. 105, An Act relative to the Granite State Building and Loan Association. To the Committee on Banks.

By Senator J. Paul LaRoche of District No. 20, Senate Bill No. 106, An Act relative to the authority of the United Baptist Church of Somersworth to hold property. To the Committee on Executive Departments and Administration.

### **Order Vacated**

Mr. Malley of Somersworth moved that the order whereby Senate Bill No. 105, An Act relative to the Granite State Building & Loan Association and Senate Bill No. 106, An Act relative to the authority of the United Baptist Church of Somersworth to hold property, were referred to committee be vacated

and that the rules be suspended to dispense with the public hearings and that they be put upon third reading and final passage, by title only, at the present time.

On a *viva voce* vote the motion prevailed.

### Third Readings

Senate Bill No. 105, An Act relative to the Granite State Building & Loan Association.

Senate Bill No. 106, An Act relative to the authority of the United Baptist Church of Somersworth to hold property.

Read a third time and passed and sent to the Secretary of State to be engrossed.

### Resolutions

Messrs. Bennett and Haley of Keene offered the following resolution:

*Whereas*, the members of the New Hampshire House of Representatives, have learned with deep sorrow of the death of Representative Edward C. Sweeney, Sr., from Keene, and

*Whereas*, we are fully mindful of the loyal and efficient service rendered by him to the State of New Hampshire and to the people of Keene while serving as a member of the legislature in this session and in one previous session, therefore be it further

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature extend our heartfelt sympathy to his wife, Olive S. Sweeney and family in their bereavement, and be it further

*Resolved*, that when the House of Representatives adjourns today, that it adjourn in memory of the late Representative Edward C. Sweeney, and be it further

*Resolved*, that the Clerk send a floral spray for his funeral and transmit a copy of these resolutions to his wife, Olive S. Sweeney.

On a rising vote the resolution was unanimously adopted.

### Delegation To Attend Mr. Sweeney's Funeral

The Speaker appointed the Keene Delegation to represent the Legislature at the funeral of Mr. Sweeney of Keene.

Mr. Craig of Manchester offered the following resolution:

*Whereas*, William F. Harrington of Manchester has passed away, and

*Whereas*, he was a former State Senator and former Delegate to the Republican National Convention, and

*Whereas*, he was prominent in many ways in affairs of the city of Manchester, particularly banking and insurance, therefore be it

*Resolved*, that we, the members of the House of Representatives, pay tribute to his services to his city and state and express our deep sympathy to his family in its bereavement, and be it further

*Resolved*, that the Clerk of the House transmit a copy of these resolutions to Mr. Harrington's son, William Harrington.

On a *viva voce* vote the resolution was adopted.

### Communication

The Speaker read the following communication:

THE STATE OF NEW HAMPSHIRE  
Motor Vehicle Department  
State House Annex  
Concord

HON. CHARLES GRIFFIN, *Speaker*

House of Representatives

State House

Concord, New Hampshire

*Dear Mr. Speaker:*

Our stimulated traffic safety program under the Governor's proclamation "Slow Down and Live" opens on the Memorial Day weekend and continues until after Labor Day.

We need the assistance of every person using New Hampshire's streets and highways to prevent and control traffic accident involvement.

May I solicit the full cooperation of each House member in our effort to keep our people from harm.

Strict obedience of the traffic laws appears to be the imperative answer to our problem.

In my opinion your membership could make a genuine contribution to the welfare of our citizens, if they will carry



May 26, 1955

our suggestion home and spread the words of traffic safety before their neighbors, using the slogan, "Slow Down and Live."

Cordially yours,

FREDERICK N. CLARKE,

*Commissioner.*

### Resolution

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time, and that third readings of bills be by their titles only, and that when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 275, An Act relative to taking deer.

Read a third time and passed, and sent to the Senate for concurrence.

House Bill No. 297, An Act making certain records relative to race meets available to the public.

Read a third time.

The question being, Shall the bill pass?

On a *viva voce* vote the bill was passed.

Mr. Pickett of Keene called for a division.

A division being had, 137 members having voted in the affirmative, and 74 members having voted in the negative.

### Inquiry

Mr. Pickett of Keene questioned the constitutionality requirement regarding the absence of less than two thirds of the membership being present.

The Speaker ruled that less than two thirds of the elected membership being present and less than two thirds of those present and voting, having voted in the affirmative, the bill did not pass.

Mr. Rainie of Concord demanded the yeas and nays, and the roll was called with the following result:

### Yeas—148

MERRIMACK COUNTY: Phelps, Ellsworth, Vaughn of Bow, Vogel, Dowd, Hancock, Rainie, Cilley, Nutter, Broadhurst, Burke, Charland, Dempsey, Mason, Davis of Hopkinton,

Thibeault of Pembroke, Ayer of Pittsfield, Young, Lovejoy, Bigelow, Bean.

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Farwell, Herrick, Hambleton, Jennings, Poore, Reed, Hadley, Abbott, Latour, Lang of Manchester, Craig, Lavoie, Gamache, Deans, Falconer, Wadleigh, Cummings, Saunders, Boire, Belcourt, Trombley, Pappagianis, Chartrain, Ryan, Locke, Aho, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Burnham, Thomas, Smith of Hinsdale, Perry, Haley, Kirk, McCullough, Wheeler, Bennett, Brown of Keene, Coddington, Faulkner, Pickett, Brown of Marlow, Tirrell, Billings, Ingham.

SULLIVAN COUNTY: Bascom, Frizzell, Bissonett, Millar, Nelson of Goshen, Bailey, Roe, Pierce.

GRAFTON COUNTY: Ramsey, Pryor, Chamberlin of Bath, Clarke of Canaan, Sanborn, Bradley, Hayward, Holden, Larty, Cole, Townsend, Kelley, Frazer, Talbot, Bell.

COOS COUNTY: Brungot, Hurlbert, Ferguson, Cornelius, Converse, Baker.

ROCKINGHAM COUNTY: Griffin of Auburn, Tenney, Fogg, Bisbee, Eastman of Exeter, Eldredge, Rathbone, Hunter, Thurlow, Battles, Parmenter, Carter, Dondero, Munz, Scamman.

STRAFFORD COUNTY: Swain, Chase, Felker, Webb, Pearson, Funkhouser, Littlehale, Nute, Dustin, St. Pierre, Studley, Green, Malley.

BELKNAP COUNTY: Skinner, McAllister, Rogers, Morin, Simoneau, Tilton, Ballentine, Burbank, Varrell, Smith of Meredith, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Benson, Roberts, Stokes, Nickerson of Madison, Lamprey, Hayden, Remick, Hodgdon, Weeks of Wolfeboro.

#### Nays—85

MERRIMACK COUNTY: Davis of Concord, Colbath, Shea of Concord, Lessels, Jewett, McKee, Mulaire, Brown of Loudon, Milligan, Gay of New London, Workman.

HILLSBOROUGH COUNTY: Wiggin, Jones of Francestown, Fortin, Spaulding, Soucy of Manchester, Ward 1, Danforth, Geisel, Pillsbury of Manchester, Smith of Manchester, Corey, Morris, Schricker, Peterson, Thibault of Nashua, Brosnahan, Maynard, Dionne of Nashua, Shea of Nashua, Dugas, Dutilly, Langelier, Bouthillier, Dumais.

CHESHIRE COUNTY: Spofford, Carleton, Sherwin, Bouvier, Rhodes, Thompson.

SULLIVAN COUNTY: Angus, Davis of Cornish, Reney, Vaughan of Newport, DeLude.

GRAFTON COUNTY: Plumer, Chamberlain of Holderness, Adams, Collyer, Gardner of Littleton, Martin, Carr, Huckins, Barney, Sawyer.

COOS COUNTY: Christiansen, Fontaine, Gagnon, Rines, Alls, Bushey, Taylor.

ROCKINGHAM COUNTY: Dudley, Shattuck, Clarke of Derry, Nickerson of East Kingston, Blair, Jones of Fremont, Spollett, Cheney, Palmer, Haigh, Anna Willis, Howard Willis, Pillsbury of Sandown, Felch, Robinson of South Hampton.

STRAFFORD COUNTY: Connell, Crandall, Chadbourn, Clement of Rochester, Brown of Strafford.

BELKNAP COUNTY: Hart, Karagianis, O'Shan.

CARROLL COUNTY: None.

And less than two thirds of the elected membership being present, and less than two thirds of those present and voting having voted in the affirmative, the bill did not pass.

On motion of Mrs. Frizzell of Charlestown at 3:40 o'clock the House adjourned.

WEDNESDAY, JUNE 1, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. A. George Reinelt, Pastor, The Baptist Church of Franklin.

Our Heavenly Father, we invoke Thy blessing upon this assembly gathered here for the purpose of guiding the affairs of our State in matters that influence the way of life for all citizens who dwell within its borders.

Endow these men and women with a true sense of their responsibilities and grant them a vision of the great things which can be accomplished when they seek the guidance of Thy wisdom and the blessing of Thy Spirit — for when we have faith in Thee, we have confidence in ourselves; when we rely upon the source of Thy power, we have a strength that can move mountains; and when we seek to do Thy will, we accomplish far more than the goals toward which our own poor powers of human endeavor dare aspire after.

Help us all to prove ourselves worthy servants of Thine. Amen.

### **Salute to the Flag**

Mrs. Taylor of Whitefield led the convention in the salute to the flag.

### **Leaves of Absence**

Messrs. Hambleton of Goffstown, Anderson of Concord, Pinkham of Northwood and Bisbee of Derry were granted leave of absence for the day on account of important business.

### **Notice of Reconsideration**

Mr. Angus of Claremont served notice that he would move to reconsider the vote whereby the House refused to pass House Bill No. 297, An Act making certain records relative to race meets available to the public.

### **Notice of Reconsideration**

Mr. Pillsbury of Manchester served notice that he would, at a future day, move to reconsider the vote whereby the House voted as inexpedient to legislate House Bill No. 346, An Act changing the effective date of the classification of certain waters of the Piscataquog river and its tributaries.

### Committee Reports

Mrs. Nutter of Epsom, for the Committee on Education, to whom was referred House Bill No. 435, An Act relative to the establishment of a training program for practical nurses at the state technical institutes, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted, and the bill referred to the Committee on Appropriations under the rules.

Mrs. Herrick of Deering, for the Committee on Education, to whom was referred House Bill No. 328, An Act to revise the nurse practice act, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act to change the name of the Board of Nurse Examiners and to increase the fees for nurse registration.

Amend section 6 by striking out the figures "1955" in the eighth line and inserting in place thereof the figures, 1956, so that said section as amended shall read as follows: 6. *Change in Term of Permit.* Amend section 10, chapter 257, Revised Laws as inserted by chapter 285, Laws of 1947, by striking out said section and inserting in place thereof the following: 10. *Biennial Permit.* Any person who has at any time received a certificate of qualification to practice as a registered nurse, whether in this or any other state and intends to engage in the practice of nursing in this state, shall biennially before July first, commencing July 1, 1956, file his name and address with the commissioner of education and pay to the commissioner a fee of three dollars, whereupon, if he has complied with all the requirements of this chapter and the rules and regulations of the board, he shall be granted a permit which shall entitle him to engage in the practice of nursing for the period ending on July first two years hence.

Amend section 12 by striking out said section.

Amend section 13 by striking out the figures "1955" and inserting in place thereof the figures, 1956, so that said section as amended shall read as follows: 13. *Takes Effect.* This act shall take effect July 1, 1956.



Further amend the bill by renumbering section 13 to read section 12.

The report was accepted, the amendment laid upon the table to be printed, under Rule No. 48.

Mr. Wadleigh of Milford, for the Committee on Judiciary, to whom was referred House Bill No. 411, An Act to provide for absentee voting at primaries, having considered the same, reported the same with the recommendation that the bill be referred to the Legislative Council for study and report to the 1957 General Court.

The report was accepted, and the recommendation of the committee adopted.

Mr. Rathbone of Exeter, for the Committee on Judiciary, to whom was referred House Bill No. 498, An Act establishing a run-off primary, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rogers of Laconia, for the Committee on Public Works, to whom was referred Senate Bill No. 30, An Act relative to state parks, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 by inserting after the word "on" in the fifth line the words, the following, and by striking out the words "which are surrounded by state owned lands" in the fifth line and inserting in place thereof the words, Mill Pond and North Pond in Pillsbury State Park and Spruce Pond and Bear Hill Pond in Bear Brook State Park, so that said section as amended shall read as follows: 1. *Regulations*. Amend chapter 234 of the Revised Laws by inserting after section 8 thereof the following new section: 8-a. *Regulation of Motors*. The forestry and recreation commission may prescribe such reasonable rules and regulations as to the use of boats propelled by any mechanical means on the following bodies of water: Mill Pond and North Pond in Pillsbury State Park and Spruce Pond and Bear Hill Pond in Bear Brook State Park. Such regulations shall be posted at places reasonably

designed to acquaint the public contemplating using such ponds for boating purposes with the prescribed regulations.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Rogers of Laconia, for the Committee on Public Works, to whom was referred House Bill No. 362 (In New Draft and with New Title), An Act relative to dredging Hampton Harbor, protection of shore at Boars Head in the town of Hampton and a study of seacoast erosion problems, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1-b of chapter 218 of the Laws of 1953 as inserted by section 1 by striking out the words "the sum of not to exceed twenty thousand dollars shall be available for said structures to be a charge upon the funds made available under this act provided that prior to any construction under this section the town of Hampton and/or private property owners shall have provided an additional sum of twenty thousand dollars for said purpose" in the fourth, fifth, sixth, seventh and eighth lines and inserting in place thereof the words, provided such structures can be constructed within the funds made available under this act, so that said section as amended shall read as follows:

1-b. *Shore Protection, Boars Head.* The governor with the advice of the council is further authorized and empowered to construct such structures at Boars Head in the town of Hampton as may be necessary for shore protection at said location, provided such structures can be constructed within the funds made available under this act. Any construction hereunder shall be under the direction and supervision of the commissioner of public works and highways.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Lessels of Concord, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 204, An Act providing for the development of Concord Lake Project, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Concord Lake Study Commission.* There is hereby directed to be created a commission to consist of seven members, of whom at least three shall be from Concord and two from Bow, to be appointed by the governor with the advice and consent of the council, and to be known as the Concord Lake Study Commission. The members of the commission originally appointed shall hold office until August 1, 1957 at which time this commission shall be terminated. If any vacancy shall occur in the membership of the commission prior to such date it shall be filled by appointment of the governor with the advice and consent of the council for the remainder of the unexpired term. Commission members shall serve without pay except that they shall be reimbursed for their actual expenses while engaged in the business of the commission from the voluntary contributions hereinafter authorized to be solicited.

2. *Duties of the Commission.* The commission shall study the feasibility of constructing on Turkey River in Concord at a point westerly of St. Paul's school, a dam, the crest of the spillway of which shall not exceed an elevation of three hundred forty feet (340') above sea level for the purpose of creating an artificial body of water suitable for recreational and other public uses to be known as Concord Lake. The commission shall make studies of the various public uses which such a body of water could serve; and it shall cause to be made such studies as are necessary to determine whether the creation of the said Concord lake is physically and financially feasible, to determine the area of land necessary to be acquired to create the said Concord lake including the area of littoral land necessary or desirable to be acquired to fulfill the various public uses which Concord lake might reasonably serve, to determine the revenue producing potentials of such areas of land as might be acquired and to determine whether such a facility can be constructed, operated and maintained under the direction of a state commission without appropriation of funds by the state or a pledge of the state's credit, by the sale of bonds secured by revenues expected to be earned from the lake facility and the properties thereof. The commission shall cause to be made all such studies as are reasonably necessary or

desirable in the determination of the foregoing matters and matters reasonably incident thereto. The commission shall make a report to the governor and council of the results of the studies that it shall have made by November 1, 1956.

3. *Revenues of the Commission.* The commission is hereby authorized to solicit and to receive from any donor voluntary contributions to the commission for the accomplishment of its purposes; and the city of Concord and other towns and cities in Merrimack county are hereby authorized to appropriate funds and make contributions to the work of the commission if they desire. The commission shall not incur obligations beyond the limits of amounts it shall have obtained from contributions to it.

4. *Powers of the Commission.* The commission shall be authorized to employ such engineers, surveyors, architects, experts, assistants, agents and servants as are necessary or desirable in the accomplishment of the purposes for which it is created; provided, that the compensation, fees, charges or salaries of such individuals, firms or organizations shall be payable only from funds the commission shall have acquired by voluntary contributions as hereinbefore provided.

5. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment laid upon the table to be printed, under Rule No. 48.

Mr. Ashley of Lebanon and Mr. Hart of Laconia, for the Joint Committees on Ways and Means and Resources, Recreation and Development, to whom was referred House Bill No. 25 (In New Draft), An Act relative to forest conservation and taxation, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by inserting after section 16 of chapter 79-A, of the Revised Laws, as inserted by section 1 of the bill a new section as follows:

17. *Interchangeability of Funds.* The two funds appropriated in the preceding section shall be interchangeable, in that any excess in either fund not needed for the purposes

thereof may be used to supplement the other fund in case it is needed therefor.

Amend section 20 of said chapter 79-A, as inserted by section 1 of the bill, by striking out said section and inserting in place thereof the following:

20. *Adjusted Forest Conservation Aid Base.* Beginning October 1, 1955, the adjusted forest conservation aid base for each town shall for the ensuing tax year be the forest conservation aid base for such town less five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1954, less the total veterans' tax exemption on property in said town for the current year. Annually thereafter the adjusted forest conservation aid base for the preceding year shall be reduced by five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1954, less the total veterans' tax exemption on property in said town for the current year, until the adjusted forest conservation aid base is eliminated. After four successive reductions have been made under this section, further reductions in the aid base hereunder shall be suspended in those towns still entitled to such aid, in order that the situation in such towns may then be re-examined by the general court, and further reductions in such towns under this section or under section 22 shall not be resumed until so ordered by the general court.

Amend section 22 of said chapter 79-A, as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

22. *Special Aid for Heavily Timbered Towns.* In addition to the forest conservation aid to which a heavily timbered town would be entitled under the provisions of section 21 of this chapter it shall, beginning with October 1, 1955 also receive special aid in full as computed hereafter. For the tax year beginning October 1, 1955 such special aid shall be an amount equal to the difference between, (1) the amount of revenue the town would have received from a tax levied on the average assessed value of growing wood and timber therein for the years 1944-1948 inclusive reckoned at its 1955 average tax rate deducting therefrom (a) an amount equal to



five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1954, less the total veterans' tax exemption on property in said town for the current year, and (b) any property tax assessed under section 5 of this chapter, and (c) the amount of the normal yield taxes assessed under section 3 of this chapter for the year for which such special aid is requested, and (2) the forest conservation aid for such town as computed under section 21 hereof. The amount of the special aid to which a heavily timbered town may be entitled by this section for any year following the tax year beginning October 1, 1955 shall be the difference between, (1) the amount of revenue the town would have received from a tax levied on the average assessed value of growing wood and timber therein for the years 1944-48 inclusive reckoned at its 1955 average tax rate or the current local rate of taxation, whichever is lesser, deducting therefrom (a) an amount equal to five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1954, less the total veterans' tax exemption on property in said town for the current year, and (b) any property tax assessed under section 5 of this chapter, and (c) the amount of the normal yield taxes assessed under section 3 of this chapter for the year for which aid is requested, and (d) the accumulated amount as computed for each preceding year of five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1954, and (2) the forest conservation aid for such town as computed under section 21 hereof.

Further amend the bill by renumbering sections 17, 18, 19, 20, 21, 22, 23 and 24 of said 79-A, as inserted by section 1 of the bill, to read sections 18, 19, 20, 21, 22, 23, 24 and 25 respectively.

The report was accepted.

Reading of the amendment having commenced, on motion of Mr. Pillsbury of Manchester further reading was dispensed with.

The question being on the amendment.

Mr. Brown of Marlow moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Brown of Marlow, Thomas of Dublin, Chandler of Bartlett, Spaulding of Hudson, and Lessels of Concord, and Miss Collyer of Lisbon spoke in favor of the motion.

Messrs. Ashley of Lebanon, Young of Pittsfield, Hart of Laconia, Angus of Claremont, Skinner of Alton, Fortier of Berlin, Pickett of Keene, and Pillsbury of Manchester, and Mrs. Gardner of Gilford spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Spaulding of Hudson called for a division.

A division being had, 23 members having voted in the affirmative, and 253 members having voted in the negative, the motion did not prevail.

The question being on the amendment offered by the committee.

On a *viva voce* vote the amendment was adopted.

Mr. Lessels of Concord offered the following amendment:

Amend the title of said bill by striking out the words "conservation and" so that said title shall read as follows: An Act relative to forest taxation.

Amend chapter 79-a of the Revised Laws as inserted by chapter 295, Laws of 1949, and as amended by chapters 4 and 12, Laws of 1951 and chapters 242 and 256, Laws of 1953, by inserting after section 24 as inserted by section 1 of the bill the following new section to read as follows:

25. *Appropriation.* For the purpose of purchasing additional state forest lands there are hereby appropriated the sum of thirty thousand dollars for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957. Such sums appropriated hereunder shall be expended under the direction of the state forester and shall be a charge on the general fund of the state.

The question being on the amendment.

(Discussion ensued)

Mr. Lessels of Concord spoke in favor of the amendment.

Mr. Pillsbury of Manchester spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

The bill was referred to the Committee on Appropriations under the rules.

Mr. Gay of Derry, for the Joint Committee on Ways and Means and Resources, Recreation and Development, to whom was referred House Bill No. 425, An Act relative to the taxation of growing wood and timber, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Converse of Pittsburg moved to substitute the words "ought to pass" for those of inexpedient to legislate.

The question being on the motion.

(Discussion ensued)

Mr. Converse of Pittsburg spoke in favor of the motion.

Mr. Thomas of Dublin moved that the bill be laid upon the table.

The question being on the motion.

On a *viva voce* vote the motion prevailed.

Mr. Waterhouse of Windham, for the Committee on Ways and Means, to whom was referred House Bill No. 373, An Act relative to taxation of certain personal property, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend paragraph XIII of section 16 of chapter 73 of the Revised Laws as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following: XIII. *Billboards*. Advertising billboards, display boards and signs erected for the purpose of public display and advertising, except those attached to a building, taxed on a linear foot basis.

Amend paragraph XVI of said section 16 of chapter 73 by striking out said paragraph.

Amend paragraph XVII of said section 16 of chapter 73 by adding at the end thereof the words, except such machinery,

apparatus and equipment as may be otherwise taxable under chapter 83 of the Revised Laws, so that said paragraph as amended shall read as follows: XVII. *Radio and Television Equipment.* Radio and television receiving, broadcasting and transmitting machinery, apparatus and equipment used commercially to maintain regular daily schedule of broadcasting, except such machinery, apparatus and equipment as may be otherwise taxable under chapter 83 of the Revised Laws.

Amend paragraph XVIII of said section 16 of chapter 73 by striking out said paragraph.

Amend paragraph XVII of said section 16 of chapter 73 to read paragraph XVI.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect April 1, 1956. The report was accepted.

The question being on the amendment.

Mr. Pickett of Keene moved that the bill with amendment pending be made a Special Order for Wednesday, June 8 at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Messrs. Pickett of Keene, and Soucy of Manchester spoke in favor of the motion.

Mr. Young of Pittsfield spoke against the motion.

On a *viva voce* vote the motion prevailed.

Mr. Dana of Laconia, for the Special Committee consisting of the members from the city of Laconia, to whom was referred House Bill No. 296, An Act establishing a board of fire commissioners for the city of Laconia, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Fire Commissioners.* The powers now possessed by the mayor and city council of the city of Laconia in relation to the appointment and removal of the chief engineer and the

assistant engineers of the fire department for said city, as provided in section 22 of the charter of said city are hereby transferred to a board of fire commissioners. On or before the first day of July 1955, the mayor, with the approval of the council, shall appoint three fire commissioners, one of whom shall hold office for one year from the first day of July, 1955, one for two years and one for three years from said date, or until his successor is appointed and qualified; and annually thereafter, on or before the first day of July the mayor, with the approval of the council, shall appoint one commissioner who shall take the place of the one whose term expires, who shall serve for three years unless sooner removed, as herein-after provided; and any vacancy in said board shall be filled in the same manner. At no time shall more than two of said commissioners belong to one political party. No member of the board shall serve in any other capacity in the department.

2. *Removal.* The mayor, with the approval of the council, shall have full power to remove any commissioner at any time, after a fair hearing and for just cause.

3. *Personnel.* The fire department of the city of Laconia shall consist of a chief and as many assistants, and such other members as the board of fire commissioners may deem necessary.

4. *Tenure of Office.* The chief and assistants, and all other members of the fire department shall be appointed by said board to serve during good behavior, and so long as they are competent to discharge the duties of their respective positions. The fire commissioners shall have the right to remove any member of the fire department at any time for good and sufficient cause after a fair hearing.

5. *Powers.* The board shall have general supervision and control over the operation of the fire department, and shall have full power to make all rules for the government of the department, and to enforce said rules. The chief and assistants shall have all powers possessed by fire wards in the extinguishment of fires.

6. *Organization.* The said board shall organize annually by the choice of one of its members to act as a chairman and one to act as clerk and keep a record of its proceedings, issue



all notices and attest all such papers and orders as said board shall desire.

7. *Report.* The said board shall make a detailed report of its doings annually to the mayor and council of said city. The records of said board shall at all times be open to the inspection of the mayor and council of said city.

8. *Compensation.* The compensation of the commissioners and salaries of the members of the fire department shall be determined from time to time by the city council upon recommendation of the board of commissioners.

9. *Powers of Mayor.* The powers of the mayor as defined in the Revised Laws shall not be impaired by this act, except as herein expressly provided.

10. *Inconsistencies.* All acts and parts of acts or ordinances inconsistent with this act are hereby repealed.

11. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

Reading of the amendment having commenced, on motion of Mr. Tilton of Laconia further reading was dispensed with.

The question being on the amendment.

(Discussion ensued)

Mr. Tilton of Laconia spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

#### **Taken from the Table Under Rule No. 48**

Senate Bill No. 50, An Act relative to orders for delinquent children and the jurisdiction of municipal courts.

The question being on the amendment, as printed in the Journal of May 25.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

House Bill No. 223, An Act to simplify requirements for absentee voting.

The question being on the amendment, as printed in the Journal of May 25.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

### Special Order

Mr. Waling of Keene called for the Special Order for 11:01 o'clock, it being the committee report from the Transportation Committee.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred House Bill No. 259, An Act relating to unfair competition in the sale of motor fuels, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out said section and inserting in place thereof the following:

1. *Interim Commission.* There is hereby established an interim commission to study the subject matter set up in House Bill No. 259, An Act relative to unfair competition in the sale of motor fuels, as introduced at the current session of the General Court. Said commission shall consist of five persons, three of whom shall be appointed by the Speaker of the House of Representatives and two of whom shall be appointed by the President of the Senate. All members appointed shall have no connection with the petroleum industry, and shall serve without compensation or expenses, and their report shall be submitted to the 1957 session of the General Court.

Further amend by striking out section 2 and renumbering section 3 to read section 2.

The report was accepted.

The question being on the amendment.

Mr. Jones of Lebanon moved that the bill be indefinitely postponed.

(Discussion ensued)

Mr. Jones of Lebanon spoke in favor of the motion.

Mr. Waling of Keene spoke against the motion.

(Mr. Pillsbury of Manchester in Chair)

Messrs. Malley of Somersworth, and Mesdames Spollett of Hampstead and Dondero of Portsmouth spoke in favor of the motion.

Mr. Carr of Orford spoke against the motion.

## (Speaker in Chair)

Messrs. Vogel of Canterbury, Holden of Hanover, Scamman of Stratham, Danforth and Corey of Manchester, Sherwin of Rindge and Pillsbury of Manchester, and Mrs. Davis of Concord spoke in favor of the motion.

Mr. Danforth of Manchester moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Waling of Keene demanded the yeas and nays and the roll was called with the following result:

## Yeas — 306

CHESHIRE COUNTY: Burnham, Thomas, Smith of Hinsdale, Perry, Spofford, Haley, Kirk, McCullough, Wheeler, Bennett, Brown of Keene, Coddington, Faulkner, Carlton, Sherwin, Terrell, Lane, Bouvier, Ballam, Rhodes, Billings, Ingham.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Bloomfield, Howe, Bissonett, Firestone, Millar, Stone, Davis of Cornish, Nelson of Goshen, Reney, Bailey, Roe, Rowell, Pierce, Gamsby.

GRAFTON COUNTY: Ramsey, Pryor, Chamberlin of Bath, Plumer, Willey, Sanborn, Bradley, Holden, Larty, Sleeper, Chamberlain of Holderness, Clement of Landaff, Adams, Ashley, Cole, Jones of Lebanon, Perley, Townsend, Collyer, Gardner of Littleton, Kelley, Martin, Frazer, Talbot, Bell, Huckins, Barney, Sawyer.

COOS COUNTY: Dussault, Fortier, Roy, Sheridan, Brungot, Christiansen, Fontaine, Gagnon, Rines, Alls, Hurlbert, Ross, Ferguson, Cornelius, Potter, Annis, Bushey, Converse, Phelan, Baker, Stinson, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Persson, Tenney, Shattuck, Fogg, Clarke of Derry, Gay of Derry, Nickerson of East Kingston, Blair, Eastman of Exeter, Eldredge, Merrill, Jones of Fremont, Weeks of Greenland, Spollett, Hunter, Tobey, Parmenter, McCaffery, Labranche, Cheney, Carter, Palmer, Barrett, Dondero, Hundley, Payette, Sadler, Quirk, Travis, Wardwell, Munz, Philbrick, Haigh, Willis (Anna), Willis (Howard), Pillsbury of Sandown, Felch, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Webb, Connell, Crandall, Pearson, Flanagan, Funkhouser, Littlehale, Chadbourn, Wentworth, Evans, Dustin, Nadeau, Lacasse, St. Pierre, Clement of Rochester, Estes, Green, Letourneau, Cormier, Beamis, Malley, Brown of Strafford.

BELKNAP COUNTY: McAllister, Gardner of Gilford, Hart, Rogers, Morin, Tilton, Burbank, O'Shan, Dana, Varrell, Miner, Smith of Meredith, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Benson, Downs, Roberts, Stokes, Lamprey, Hayden, Remick, Hodgdon, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Baron, Phelps, Ellsworth, Vaughn of Bow, Vogel, Stevens, Ferrin, Davis of Concord, Henry, Colbath, Shea of Concord, Lessels, Nelson of Concord, Corbett, Jewett, Rainie, Cilley, McKee, Mahoney of Concord, Comi, Nutter, Broadhurst, Burke, Charland, Dempsey, Carpenter, Mason, DuDevoir, Mulaire, Davis of Hopkinton, Brown of Loudon, Milligan, Gay of New London, Wilman, Ayer of Pittsfield, Lovejoy, Bigelow, Bean, Workman.

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Black, Farwell, Herrick, Jones of Francestown, Jennings, Poore, Reed, Fortin, Hadley, Goodwin, Abbott, Latour, Lang of Manchester, Danforth, Geisel, Pillsbury of Manchester, Robb, Dwyer, Hayes, Sullivan, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Walsh, Callahan, Casey, Clancy, Slowey, Corey, Leclerc, Tessier, Craig, Delisle, Langlois, Lavoie, Constant, Morris, Auger, Bergeron, Schricker, Hurley, Lareau, Martel, Soucy of Manchester, Ward 12, Vailancourt, Gauthier, Lesmerises, Cannon, Donnelly, Gamache, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Buckley, Cummings, Peterson, Ramsdell, Saunders, Boire, Thibault of Nashua, Belcourt, Trombley, Ayers of Nashua, Brosnahan, Maynard, Pappagianis, Dionne of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Langelier, Bouthillier, Dumais, Locke, Aho, Dutton, Rice, Willard, Eastman of Weare, Bardol.

#### Nays — 24

CHESHIRE COUNTY: Pickett, Waling, Thompson.

SULLIVAN COUNTY: Vaughan of Newport, DeLude.

GRAFTON COUNTY: Carr.

COOS COUNTY: Russell, Charbonneau.

ROCKINGHAM COUNTY: Barka, Rathbone, Battles, Murch, Leary, Ingraham.

STRAFFORD COUNTY: Stearns, Maloomian.

BELKNAP COUNTY: Karagianis.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Kenney.

HILLSBOROUGH COUNTY: Spaulding, Pettigrew, Soucy of Manchester, Ward 1, Mahony of Manchester, Smith of Manchester, Sweeney of Nashua.

### Pair

Mr. Skinner of Alton voting Yes, paired with Mr. Ballentine of Laconia voting No.

And the motion to indefinitely postpone prevailed.

### Reconsideration

Mr. Black of Bennington moved that the House reconsider its vote whereby it voted to indefinitely postpone House Bill No. 259, An Act relating to unfair competition in the sale of motor fuels.

On a *viva voce* vote the motion did not prevail.

### Report of Committee on Engrossed Bills

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House and Senate bills:

House Bill No. 215, An Act relative to the posting of land adjacent to woodlands.

House Bill No. 416, An Act relative to insane prisoners.

House Bill No. 427, An Act relative to the ward lines of the wards of the city of Dover.

Senate Bill No. 29, An Act relative to operation of motor vehicles at yield right-of-way signs.

Senate Bill No. 79, An Act relative to the sale of cider.

Senate Bill No. 88, An Act relative to the formation of railroad corporations.

The report was accepted.



### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 37, An Act relative to peddlers and hawkers.

Amend section 2 of the bill by adding at the end thereof the words "The clerk shall within five days notify the secretary of state of the issuance of said license," so that said section as amended shall read as follows:

2. *Local License Fees.* Amend section 7 of said chapter 188 by striking out said section and inserting in place thereof the following: 7. *Fees.* Every person licensed under the provisions relative to local licenses shall pay to the clerk of the city or town granting such license the following sums before offering or exposing for sale any goods, wares, or merchandise therein: For every town of not more than one thousand inhabitants, according to the census next preceding the date of his license, five dollars; for a town of more than one thousand and less than two thousand inhabitants, eight dollars; for all other cities and towns, ten dollars. The clerk shall certify on the face of such license the sum so paid and shall forward all fees collected hereunder to the treasurer of said city or town which fees shall be for the use of said city or town. The clerk shall within five days notify the secretary of state of the issuance of said license.

Amend the bill by striking out section 4 thereof and inserting in place thereof the following:

4. *Revocation.* Amend section 14 of said chapter 188 by striking out said section and inserting in place thereof the following: 14. *Revocation of Licenses.* Any special state license granted by the secretary of state to a hawker or peddler may be revoked by him after hearing (1) upon conviction of the licensee of any offense which in the judgment of the secretary warrants such revocation or (2) upon the submission to the secretary of evidence satisfactory to him that, during the term of the license, and acting under cover thereof, the licensee has accepted or solicited money, otherwise than through a

*bona fide* sale or barter of goods, wares or merchandise or has in any manner begged or solicited alms from the public, or (3) upon a finding by him that the applicant has wilfully falsified his application for license or (4) upon consideration of evidence that the holder of said license is insane, a sexual psychopath, is or has been guilty of assault upon others or whose conduct has been otherwise disorderly and is of such violent or offensive demeanor that to permit him to retain such license would constitute a threat to the peace or safety of the public or (5) that the holder of said license is at large pending appeal from a conviction for a violation of the law involving extreme moral turpitude. Whenever any person is convicted of a violation of any provision of this chapter relative to hawkers and peddlers, the clerk of the court or the trial justice by whom such person was convicted, shall notify the secretary of state or the clerk of any city or town which has granted a local license hereunder to said person. Any local license granted by the clerk of any city or town shall be revoked by said clerk after hearing for like causes and in case of any revocation of a state license by the secretary of state all local licenses held by said licensees shall be revoked by said clerks. Any person whose license has been revoked under this section shall be ineligible to be licensed as a hawker or peddler in this state for a period of not less than one year or more than five years from the date of said revocation. Any person whose state or local license has been revoked, as a condition precedent to issuance of any new license, shall be required to furnish to the revoking authority satisfactory evidence of renewed reputation and character or mental health in addition to the certificate required to qualify for such license under sections 2 or 3, or both.

Further amend the bill by adding after section 4 the following new section:

5. *Right of Appeal.* Amend said chapter 188 by adding after section 14 the following new section: 14-a. *Appeal.* Any person whose license is revoked under this chapter shall have the right of appeal provided by Revised Laws, chapter 414.

Further amend the bill by renumbering section 5 to read section 6.

Reading of the amendment having commenced, on motion of Mr. Perley of Lebanon further reading was dispensed with, and the same member explained the amendment.

On motion of Mr. Perley of Lebanon the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following Senate bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

Senate Bill No. 72, An Act relating to publication of report of audit.

Amend section 1 of said bill by striking out the first line thereof and inserting in place thereof the following:

1. *Municipal Audits.* Amend chapter 82 of the Revised Laws (chapter 71, RSA) by inserting after section

On motion of Mr. Perley of Lebanon the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 416, An Act relative to insane persons.

House Bill No. 427, An Act relative to the ward lines of the wards of the city of Dover.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 57, An Act relative to the solicitation of bribes.

Senate Bill No. 98, An Act relating to the Peterborough Home for the Aged and the James Scott and Sarah A. Scott Home.

Senate Bill No. 101, An Act legalizing the biennial election held in the town of Ellsworth, November 2, 1954, and legalizing the Bridgewater Special School District meeting of May 1, 1955.

Senate Bill No. 102, An Act relating to the exclusive right of the Rye Water District to acquire water rights within a part of the town of Rye.

### **Senate Bills Read and Referred**

By Senator Cleveland of District No. 7, Senate Bill No. 57, An Act relative to the solicitation of bribes. To the Committee on Executive Departments and Administration.

By Senator English of District No. 11, Senate Bill No. 98, An Act relating to the Peterborough Home for the Aged and the James Scott and Sarah A. Scott Home. To the Committee on Public Welfare.

By Senator Matthews of District No. 5, Senate Bill No. 101, An Act legalizing the biennial election held in the town of Ellsworth, November 2, 1954, and legalizing the Bridgewater Special School District meeting of May 1, 1955. To the Committee on Executive Departments and Administration.

By Senator Merrill of District No. 23, Senate Bill No. 102, An Act relating to the exclusive right of the Rye Water District to acquire water rights within a part of the town of Rye. To the Committee on Public Works.

### **Order Vacated**

Mr. Spaulding of Hudson moved that the rules be suspended to dispense with reference to committee of Senate Bill No. 98, An Act relating to the Peterborough Home for the Aged and the James Scott and Sarah A. Scott Home, and that the bill be put upon its third reading and final passage, by title only, at the present time.

### **Third Reading**

Senate Bill No. 98, An Act relating to the Peterborough Home for the Aged and the James Scott and Sarah A. Scott Home, was read a third time and passed and sent to the Secretary of State to be engrossed.

### Printing Dispensed With

On motion of Mr. Rainie of Concord the rules were suspended to dispense with the printing of Senate Bill No. 101, An Act legalizing the biennial election held in the town of Ellsworth, November 2, 1954, and legalizing the Bridgewater Special School District meeting of May 1, 1955.

### Resolution

On motion of Mrs. Hurlbert of Errol the rules were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time, and that third readings of bills be by their titles only, and that when the House adjourns today it be to meet Thursday morning at 11:00 o'clock, A. M.

### Third Readings

House Bill No. 223, An Act to simplify requirements for absentee voting.

House Bill No. 296, An Act establishing a board of fire commissioners for the city of Laconia.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 30, An Act relative to state parks.

Senate Bill No. 50, An Act relative to orders for delinquent children and the jurisdiction of municipal courts.

Severally read a third time and passed and sent to the Senate for concurrence in the amendments.

### Reconsideration

Mr. Angus of Claremont moved to reconsider its vote whereby the House refused to pass House Bill No. 297, An Act making certain records relative to race meets available to the public.

The question being on the motion.

(Discussion ensued)

Messrs. Malley of Somersworth, Lamprey of Moultonborough, Eldredge of Exeter, Rainie of Concord and Mrs. Atwood of Sanbornton spoke in favor of the motion.

### Personal Privilege

Mr. Pillsbury of Manchester rose on a question of personal privilege.



Mr. Cole of Lebanon spoke in favor of the motion.

Messrs. Jones of Lebanon, Angus of Claremont, Gardner of Littleton, Soucy of Manchester, Spaulding of Hudson, Perley of Lebanon, Waling of Keene, and Corbett of Concord spoke against the motion.

### Personal Privilege

Mr. Pickett of Keene rose on a point of personal privilege.

Mr. Skinner of Alton spoke in favor of the motion.

Messrs. Pickett of Keene and Brown of Loudon spoke against the motion.

Mr. Robb of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mr. Rainie of Concord demanded the yeas and nays but subsequently withdrew his demand.

Mr. Robb of Manchester called for a division.

A division being had, 121 members having voted in the affirmative and 206 members having voted in the negative, the motion to reconsider did not prevail.

Mr. Pillsbury of Manchester called for the unfinished business.

### Third Readings

House Bill No. 398, An Act relative to civil defense.

House Bill No. 462, An Act relating to investments of savings banks.

House Bill No. 516, An Act relative to powers and duties of the town of Littleton and repealing the charter of the Littleton Village District.

House Bill No. 523, An Act relative to the definition of the word beverage.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Travis of Portsmouth at 4:01 o'clock the House adjourned.

THURSDAY, JUNE 2, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O Lord God of our fathers, we are grateful to Thee for Thy continued blessing upon the people of this land. We thank Thee for that pioneer spirit that led men to open up the way in this land of adventure and progress from those early days to this. We are grateful to Thee for the heritage of those who lived and labored here in the formative days of our country, "and grant that we may ever dedicate ourselves to the unfinished task they so nobly advanced." Help us to make the government they established the best government in the world; to make education, that began in the one room school house, the most efficient in all the world, and to manifest that same devotion to Thee that characterized those founding fathers. Help us to ever remember that the best monument we can build to the memory of those of pioneer days is to build upon the principles for which they lived. Amen.

### Salute to the Flag

Mr. McAllister of Barnstead led the convention in the salute to the flag.

### Leave of Absence

Mr. Marcotte of Claremont was granted an indefinite leave of absence on account of illness.

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Mr. Skinner of Alton), House Bill No. 535, An Act relative to jurisdiction of the United States over land within New Hampshire. To the Committee on Judiciary.

By the Committee on Rules (Mr. Angus of Claremont), House Bill No. 536, An Act modifying the employees' retirement system of the state of New Hampshire and correlating its benefits with federal old-age and survivors' insurance benefits. To the Joint Committees on Labor and Appropriations.

### Committee Reports

Mr. Angus of Claremont, for the Committee on Labor, to whom was referred House Bill No. 349, An Act relative to hourly wage for employees, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Minimum Wages.* Amend section 25 of chapter 213 of the Revised Laws, as inserted by chapter 310, Laws of 1949, and as amended by section 1, chapter 232, Laws of 1953 (section 21, chapter 279, RSA) by striking out said section and inserting in place thereof the following: 25. *Limitations.* No person, firm or corporation shall employ any employee at a rate of less than seventy cents per hour, provided that this limitation shall not apply to employees engaged in household labor, domestic labor, farm labor, outside salesmen, summer camps for minors, restaurants, hotels, inns and cabins; and provided this limitation shall not apply to employees engaged as newsboys or golf caddies. Further provided that no person, firm or corporation shall employ any employee as usher at a theatre or pin boy at a bowling alley, at a rate of less than sixty cents per hour.

Amend the bill by inserting after section 1 the following new section:

2. *Earning Capacity.* Amend section 26 of chapter 213 of the Revised Laws, as inserted by chapter 310, Laws of 1949, and as amended by section 1, chapter 232, Laws of 1953 (section 22, chapter 279, RSA) by striking out said section and inserting in place thereof the following: 26. *Special Authorization in Certain Cases.* A person with less than six months' experience in an occupation, or a person whose earning capacity is impaired by age, or physical or mental deficiency, may be paid not less than fifty-five cents per hour upon application to an authorization from the commissioner of labor.

Further amend the bill by renumbering section 2 to read section 3.

The report was accepted, the amendment laid upon the table for printing, under Rule No. 48.

Mr. Chase of Dover, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 329, An Act relative to disabled veterans, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Increase in Exemption.* Amend section 29-f of chapter 73 of the Revised Laws as inserted by chapter 240, Laws of 1947 (section 35, chapter 72, RSA) by striking out said section and inserting in place thereof the following: 29-f. *Total Disability.* If any person, qualified as defined in section 29 of this chapter, shall be totally and permanently disabled from service connection and satisfactory proof of such service connection is furnished to the assessors, or if such person be a double amputee or paraplegic as a result of service connection, he or his wife or widow shall be exempt from taxation to the value of five thousand dollars under the conditions set forth in sections 29, 29-a, 29-b and 29-c of this chapter insofar as the same are applicable; provided that, in the case of undivided ownership, the limit of exemption shall be five thousand dollars as regards the interest of such entitled persons therein; provided further that such person and his wife or widow do not own taxable property in this state, exclusive of *bona fide* encumbrances of record thereon, to the value of more than ten thousand dollars; and provided further that if a person, qualified as defined in section 29 of this chapter who is a double amputee or paraplegic as the result of service connection and owns a specially adapted homestead which has been acquired in whole or in part with the assistance of the federal government he shall be exempt from all taxation on said homestead.

Amend section 2 by striking out the figures "1955" and inserting in place thereof the figures, 1956, so that said section as amended shall read as follows:

2. *Takes Effect.* This act shall take effect April 1, 1956.

The report was adopted.

The question being on the amendment.

Mr. Chase of Dover explained the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Black of Bennington offered the following amendment:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Increase in Exemption.* Amend section 29-f of chapter 73 of the Revised Laws as inserted by chapter 240, Laws of 1947 (section 35, chapter 72, RSA) by striking out said section and inserting in place thereof the following: 29-f. *Total Disability.* If any person, qualified as defined in section 29 of this chapter, shall be totally and permanently disabled from service connection and satisfactory proof of such service connection is furnished to the assessors, or if such person be a double amputee or paraplegic as a result of service connection, he or his wife or widow shall be exempt from taxation on real or personal property to the value of five thousand dollars under the conditions set forth in sections 29, 29-a, 29-b and 29-c of this chapter in so far as the same are applicable; provided that, in the case of undivided ownership, the limit of exemption shall be five thousand dollars as regards the interest of such entitled person therein; and provided further that if a person, qualified as defined in section 29 of this chapter who is a double amputee or paraplegic as the result of service connection and owns a specially adapted homestead which has been acquired with the assistance of veterans administration he shall be exempt from all taxation on said homestead.

The question being on the amendment.

Mr. Black of Bennington explained the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred House Bill No. 267, An Act to establish a motor vehicle law appeals commission, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred House Bill No. 409, An Act relative to sanitary facilities at stations of railroad and terminal corporations, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.



The report was accepted and the bill ordered to a third mittee adopted.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred House Bill No. 488, An Act relative to transfer of certificates and permits under motor carrier act, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

The Special Committee consisting of the members from the city of Nashua, to whom was referred Senate Bill No. 100, An Act relative to capital reserve funds of the city of Nashua, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the resolution of the committee reading.

#### **Taken from the Table Under Rule No. 48**

House Bill No. 496, An Act relative to the establishment of soil conservation districts.

The question being on the amendment as printed in the Journal of May 31.

Reading of the amendment having commenced, on motion of Mr. Chadbourn of Lee further reading was dispensed with.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

On motion of Mr. Faulkner of Keene the rules were suspended to allow the introduction of a committee report not previously advertised in the Journal.

Mr. Faulkner of Keene, for the Committee on Judiciary and Public Works, to whom was referred House Bill No. 474, An Act relative to lay out of class I and II highways and assessment of damages, having considered the same, reported the same with the recommendation that the bill in new draft be re-committed.

The report was accepted.

On a *viva voce* vote the recommendation of the committee was adopted.

House Bill No. 474 (In New Draft), An Act relative to lay out of Class I and II highways and assessment of damages, was introduced in new draft, read a first and second time, laid upon the table to be printed and recommitted to the Joint Committees on Judiciary and Public Works.

### Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 449, An Act relative to insertion of names of veterans on checklists, having considered the same, reported the same with the following recommendation:

That the Senate recede from its position in adopting its amendment and concur with the House in adopting said bill, and that the following amendment be adopted:

Amend the title by striking out the same and inserting in place thereof the following:

An Act relative to insertion of names of certain veterans and servicemen on the checklists.

RAYMOND H. CHASE,  
KIRK W. WHEELER,  
AARON W. CHADBourn, Jr.,  
*Conferees on the Part of the House.*

JOHN R. POWELL,  
BENJAMIN C. ADAMS,  
*Conferees on the Part of the Senate.*

On motion of Mr. Chase of Dover the House agreed to the report of the Committee of Conference.

### Report of Committee on Engrossed Bills

Mrs. Hundley of Portsmouth, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate and House bills:

Senate Bill No. 105, An Act relative to the Granite State Building and Loan Association.

Senate Bill No. 106, An Act relative to the authority of the United Baptist Church of Somersworth to hold property.

House Bill No. 51, An Act relative to evidence of membership or participation in subversive organizations.

House Bill No. 506, An Act relative to the salary of the justice of the Keene municipal court.

The report was accepted.

### Personal Privilege

Mr. Rainie of Concord rose on a point of personal privilege.

### Personal Privilege

Mr. Pillsbury of Manchester rose on a point of personal privilege.

### Resolutions

Mrs. Mahoney of Concord offered the following resolution:

*Whereas*, John H. Mayo of Concord, Ward 8, a former representative, has passed away, and

*Whereas*, he was a former mail carrier and an alderman of the city of Concord, therefore be it

*Resolved*, That we, the members of the House of Representatives of the General Court hereby pay tribute to this former member for his services to the United States, the state and to his ward and city, and be it further

*Resolved*, That we express our sympathy to the family in its bereavement and that the Clerk transmit a copy of these resolutions to Mrs. Mayo.

On a *viva voce* vote the resolution was adopted.

Messrs. Converse of Pittsburg, Baker of Stewartstown, and Alls of Colebrook offered the following resolution:

*Whereas*, George B. Currier of Colebrook, formerly of Stewartstown, has passed away, and

*Whereas*, he was a former representative from Colebrook and from Stewartstown, and a former member of the Fish and Game Commission, therefore be it

*Resolved*, that we, the members of the House of Representatives hereby pay tribute to this former member for his services to his towns and state, and express our sympathy to the family in its bereavement, and be it further

*Resolved*, that the Clerk of the House transmit a copy of these resolutions to Mrs. Currier.

On a *viva voce* vote the resolution was adopted.

On motion of Mrs. Perry of Jaffrey the rules were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time, and that third readings of bills be by their titles only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock, A. M.

### Third Readings

House Bill No. 329, An Act relative to disabled veterans.

House Bill No. 496, An Act relative to the establishment of soil conservation districts.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 100, An Act relative to capital reserve funds of the city of Nashua.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Dondero of Portsmouth at 12:25 o'clock the House adjourned.

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TUESDAY, JUNE 7, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. John R. Wood, First Baptist Church, Plaistow.

Almighty God, thou who art the Lord of the universe, yet who dost nourish and shepherd each of thy children; we are grateful for the promise that we can be fellow heirs with Christ in an abundant and eternal life. We thank thee also for the privilege and responsibility that we may be representatives of thy love, and mercy, and truth in our daily occupations.

Remembering these undeserved blessings, we humbly acknowledge those times when we have felt that we were sufficient unto ourselves. Thou knowest altogether the numerous occasions when our lives have revealed only our own preoccupations, our prejudices, and our concerns for the insignificant and the trivial. Forgive us, Our Father, for our rejections of our higher calling.

Operate and remove the cataracts of lop-sided interests and falsely-inflated problems that our eyes of faith may be

opened to the awareness of the paths of service under the impulses of thy love and the leadership of Jesus Christ. Reinforce our characters with gentle courage and warm concern that we may be enabled to do that which is right in thy sight regardless of the weight of opposition; that we might truly be ambassadors for Christ and that thy kingdom might become a reality within the circle of our influence. We ask our prayer in the name and spirit of our Lord, Jesus Christ. Amen.

### Salute to the Flag

Mrs. Palmer of Plaistow led the convention in the salute to the flag.

### Leaves of Absence

Mrs. Millar of Claremont was granted leave of absence for the week on account of illness.

Messrs. Pillsbury of Manchester, Malley of Somersworth, and Firestone of Claremont were granted leaves of absence for the day on account of important business.

Messrs. Alexander and Morris of Manchester were granted leaves of absence for the day on account of illness.

### Introduction of a Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Mr. McKee of Concord), House Bill No. 537, An Act to revise the charter of the city of Concord. To the Special Committee consisting of the delegation from the city of Concord.

### Committee Reports

Mr. Brown of Marlow, for the Committee on Aviation, to whom was referred Senate Bill No. 51, An Act prohibiting the use of outboard motors on Perch pond in the town of Campton, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.



### Reconsideration

Mr. Chase of Dover moved that the House reconsider its vote whereby it passed House Bill No. 329, An Act relative to disabled veterans, whereby the bill was ordered to a third reading, and whereby the amendment offered by Mr. Black of Bennington was adopted.

The question being on the motion.

On a *viva voce* vote the motion to reconsider prevailed.

Mr. Black of Bennington offered the following amendment:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Increase in Exemption.* Amend section 29-f of Chapter 73 of the Revised Laws as inserted by chapter 240, Laws of 1947 (section 35, chapter 72 R S A) by striking out said section and inserting in place thereof the following: 29-f. *Total Disability.* If any person, qualified as defined in section 29 of this chapter, shall be totally and permanently disabled from service connection and satisfactory proof of such service connection is furnished to the assessors, or if such person be a double amputee or paraplegic as a result of service connection, he or his wife or widow shall be exempt from taxation on real or personal property to the value of five thousand dollars under the conditions set forth in sections 29, 29-a, 29-b, and 29-c of this chapter in so far as the same are applicable except that the limitations of ownership of taxable property in this state shall not apply to persons eligible under this section; and provided further that, in the case of undivided ownership, the limit of exemption shall be five thousand dollars as regards the interest of such entitled persons therein; and provided further that if a person, qualified in section 29 of this chapter who is a double amputee or paraplegic as the result of service connection and owns a specially adapted homestead which has been acquired with the assistance of veterans administration he shall be exempt from all taxation on said homestead.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Fogg of Deerfield, for the Committee on Public Works, to whom was referred House Bill No. 504, An Act relative to

secondary state highway system, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Miner of Meredith, for the Committee on Ways and Means, to whom was referred House Bill No. 524, An Act relative to fees for liquor licenses for clubs and hotels, having considered the same, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Committee on Ways and Means, to whom was referred House Bill No. 524, An Act relative to fees for liquor licenses for clubs and hotels, having considered the same, and being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

DENIS F. CASEY,  
HILDA HUNDLEY,  
AMELIA LAREAU,

*A Minority of the Committee.*

The reports were accepted.

The question being on the report of the majority "ought to pass."

(Discussion ensued)

Messrs. Clarke of Canaan and Plumer of Bristol spoke in favor of the report.

Mrs. Hayward of Hanover spoke against the report.

Mr. Pickett of Keene moved that the report of the minority, inexpedient to legislate, be substituted for that of the majority.

The question being on the motion.

Mr. Pickett of Keene spoke in favor of the motion.

Mr. Karkavelas of Dover moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Karkavelas of Dover, Gay of New London, Wal-

ing of Keene, Gamsby of Sunapee, and Lavoie of Manchester, and Mrs. Dondero of Portsmouth spoke in favor of the motion.

Mr. Young of Pittsfield spoke against the motion.

On a *viva voce* vote the Chair was in doubt.

Mr. Scamman of Stratham called for a division.

A division being had, 192 members having voted in the affirmative, and 127 members having voted in the negative, the motion to indefinitely postpone prevailed.

### Reconsideration

Mr. Spaulding of Hudson moved that the House reconsider its vote whereby it voted to indefinitely postpone House Bill No. 524.

On a *viva voce* vote the motion to reconsider did not prevail.

### Taken from the Table Under Rule 48

House Bill No. 204, An Act providing for the development of Concord Lake Project.

The question being on the amendment as printed in the Journal of June 1.

On a *viva voce* vote the amendment was adopted.

Mr. Jewett of Concord offered the following amendment:

Amend House Bill No. 204 as amended by adding the following new sentence after the first sentence in section 1: "At least two of the total number of members shall be resident owners of land under study by the Commission as submerged or littoral areas," so that section 1 shall read as follows:

1. *Concord Lake Study Commission.* There is hereby directed to be created a Commission to consist of seven members, of whom at least three shall be from Concord and two from Bow, to be appointed by the Governor with the advice and consent of the Council, and to be known as the Concord Lake Study Commission. At least two of the total number of members shall be resident owners of land under study by the Commission as submerged or littoral areas. The members of the Commission originally appointed shall hold office until August 1, 1957 at which time this Commission shall be terminated. If any vacancy shall occur in the membership of the Commission prior to such date it shall be filled by appointment of the Governor with the advice and consent of the Council for the re-

mainder of the unexpired term. Commission members shall serve without pay except that they shall be reimbursed for their actual expenses while engaged in the business of the Commission from the voluntary contributions hereinafter authorized to be solicited.

The amendment was laid upon the table under Rule No. 48.

House Bill No. 328, An Act to revise the nurse practice act.

The question being on the amendment as printed in the Journal of June 1.

On a *viva voce* vote the amendment was adopted.

Mr. Walsh of Manchester offered the following amendment:

Amend section 5 by inserting after the word "dollars" in the eighth line (of the printed bill) the words, No fee shall be required for second examination if one is necessary, so that said section as amended shall read as follows: 5. *Change of Fees.* Amend section 8, chapter 257, Revised Laws, as inserted by chapter 285, Laws of 1947, by striking out said section and inserting in place thereof the following: 8. *Fees.* Each person applying for certification of qualification to practice as a registered nurse, or for examination and such certification, shall pay to the commissioner of education a fee of fifteen dollars. No fee shall be required for second examination if one is necessary. The commissioner shall pay all fees so received and all fees from biennial permits to the state treasurer who shall keep the same in a separate fund to be used only for the purposes of the board hereunder.

The question being on the amendment.

(Discussion ensued)

Mr. Walsh of Manchester spoke in favor of the amendment.

Mr. Vaughan of Newport spoke against the amendment.

On a *viva voce* vote the amendment was not adopted, and the bill ordered to a third reading.

### Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 140, An Act relating to the New Hampshire

Veterans' Association, having considered the same, reported the same with the following recommendation:

That the Senate recede from its position in adopting its amendment, that the House recede from its position in adopting its amendment and that the following amendment be adopted:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *New Hampshire Veterans' Association.* Amend section 2 of chapter 161, Laws of 1881, as amended by chapter 270, Laws of 1921, and by chapter 331, Laws of 1925, by striking out the word "fifty" in the seventh line and inserting in place thereof the words, five hundred, so that said section as amended shall read as follows: Sect. 2. Said corporation may purchase, take, and hold by deed, lease, gift, devise, or otherwise, real and personal estate for the purposes of said corporation to an amount not exceeding five hundred thousand dollars, and may improve, use, sell, lease, and convey, or otherwise dispose of the same at pleasure.

RAYMOND H. CHASE,  
T. CASEY MOHER,  
NED SPAULDING,

*Conferees on the Part of the House.*

N. A. McMEEKIN,  
LAURIER LAMONTAGNE,  
*Conferees on the Part of the Senate.*

On motion of Mr. Chase of Dover the House voted to agree to the report of the Committee of Conference.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 53, An Act relative to highway appropriations.

House Bill No. 65, An Act relative to liability in the operation of aircraft.

House Bill No. 70, An Act relative to the payment of forest fire expenses.

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House Bill No. 71, An Act relative to reimbursement of municipalities for forest fire expenses.

House Bill No. 399, An Act relative to the construction and inspection of public buildings.

House Bill No. 473, An Act relative to erection of so-called historical signs.

House Bill No. 483, An Act legalizing the proceedings of the Campton Village Precinct meeting held on March 29, 1955.

House Bill No. 501, An Act authorizing the town of Hudson to fund or refund certain indebtedness.

House Bill No. 511, An Act relative to change of classification of road in the town of Gilmanton.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 449, An Act relative to insertion of names of certain veterans and certain servicemen on checklists.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 82, An Act to amend the charter of the Cheshire County Savings Bank.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

House Bill No. 413, An Act relative to the payment of motor vehicle road tolls by counties, and reports to the motor vehicle commission on sales of motor fuel for boats.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 195 (In New Draft), An Act to provide for the giving of security by owners and operators of aircraft involved in accidents and to provide for administration thereof.

Amend section 2 of the bill by striking out the same and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Carr of Orford the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 438, An Act relating to Group Life Insurance for share holders in Credit Unions.

Amend section 1 of said bill by striking out the first four lines and inserting in place thereof the following: 1. *Group Life Insurance.* Amend section 14-a of chapter 327 of the Revised Laws, as inserted by chapter 175, Laws of 1947 (section 15, chapter 408, RSA) as amended by section 1, chapter 79, Laws of 1955, by inserting at the end thereof, the following: (6) A policy issued to a credit union, which shall be deemed the policy.

On motion of Mr. Hambleton of Goffstown the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 493, An Act relative to tax exemption for certain installations for water or air pollution control facilities.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *Water or Air Pollution Control Facilities.* Amend chapter 166-A of the Revised Laws, as inserted by chapter 183 of the Laws of 1947, by inserting after section 4-a, as inserted by section 2, chapter 247, Laws of 1949 (section 5, chapter 149, RSA) the following new sections: 4-b. *Tax Exemption.* In

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to tax exemption for certain installations for water or air pollution control facilities.

On motion of Mr. Perley of Lebanon the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 10, An Act to relieve persons totally disabled from the payment of head and poll taxes.

Senate Bill No. 36, An Act relative to funds for the New Hampshire Tri-State Commission.

### Senate Bills Read and Referred

By Senator Cleveland of District No. 7, Senate Bill No. 10, An Act to relieve persons totally disabled from the payment of head and poll taxes. To the Committee on Judiciary.

By Senator Perkins of District No. 15, Senate Bill No. 36, An Act relative to funds for the New Hampshire Tri-State Commission. To the Committee on Appropriations.

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time, and that third readings of bills be by their titles only, and that when the House adjourns to-day it be to meet Wednesday morning at 11:00 o'clock, A. M.

### Third Readings

House Bill No. 328, An Act to change the name of the Board of Nurse Examiners and to increase the fees for nurse registration.

House Bill No. 329, An Act relative to disabled veterans.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Reney of Grantham at 1:02 o'clock the House adjourned.

WEDNESDAY, JUNE 8, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty and everlasting God, Maker and Ruler Supreme, how frequently this portion of prayer is on our lips: "Thy kingdom come." Help us to say those words in all sincerity; and still further assist us to so live, that we may, day by day, by our actions, as well as our words, prepare the way of the coming of Thy Kingdom. We are proud to be citizens of the United States, and with equal pride we acclaim our citizenship of this state; keep us ever mindful of the fact, O God, that unworthiness in Thy Kingdom is bound to be reflected in our attitude toward the political, industrial, social and religious welfare of our state and nation.

"Lord of our fathers, known of old,  
Lord of our far flung battle line,  
Beneath whose awful hand we hold  
Dominion over palm and pine:  
Lord God of hosts be with us yet,  
Lest we forget, lest we forget." Amen.

### Salute to the Flag

Mr. Downs of Conway led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Spaulding of Hudson, Tobey of Hampton, and Deans of Milford were granted leaves of absence for the day on account of important business.

Mr. Bloomfield of Claremont was granted leave of absence for the day on account of attending a funeral.

### Committee Reports

Mr. Vaughan of Newport, for the Committee on Education, to whom was referred House Bill No. 136, An Act relative to school building aid, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *School Building Aid.* Amend chapter 140 of the Revised Laws by adding after section 14 (chapter 198, RSA) the following new subsection:

### **School Building Aid**

14-a. *Annual Grant for the Payment of Debt Service for School Construction.* To aid local school districts in meeting the costs of the payment of debt for school buildings, the state board of education shall, from funds appropriated by the General Court to carry out the provisions of this subdivision, pay annually to the school districts of the state, sums in accordance with the provisions of this subdivision.

14-b. *Amount of Annual Grant.* The amount of the annual grant to any school district duly organized, any city maintaining a school department within its corporate organization, and any cooperative school district as defined in chapter 199, laws of 1947, as amended, shall be a sum equal to twenty per cent of the amount of the annual payment of principal on all outstanding loans of the school district, city or cooperative district heretofore or hereafter issued for the cost of construction of school buildings, to the extent approved by the state board of education, provided that the amount of the annual grant in the case of a cooperative school district (as defined in chapter 199, Laws of 1947) shall be forty per cent. For the purposes of this subdivision construction shall include the acquisition and development of the site, construction of a new building and/or additions to existing building including alterations providing additional pupil capacity, architectural and engineering fees, purchase of equipment and any other costs necessary for the completion of the building as approved by the state board of education.

14-c. *Approval of Plans, Specifications and Costs of Construction.* A school district which desires to avail itself of the grant herein provided shall submit its plans and specifications and make application in writing to the state board of education on such forms as the board may prescribe for the approval of the plans and specifications, and construction cost of school buildings heretofore or hereafter completed or authorized. The state board of education shall approve such costs as it deems necessary. For the purposes of this subdivision, necessary costs shall be computed on the basis of the pupil



capacity of the building multiplied by a per pupil allowance, as determined by the state board of education. Pupil capacity shall be based upon the square footage per pupil and/or pupil stations including laboratories and shops adjusted to elementary, junior high and secondary school facilities. The per pupil allowance shall be based upon the actual cost to the school district, city school department, or cooperative school district of the school construction in the school district upon which the school district is now carrying a debt service, or the state average per pupil construction costs of elementary and secondary facilities for the preceding five year period, respectively whichever is lower. The state average per pupil construction cost for a particular school building may be adjusted whenever in the judgment of the state board of education the expenditures for construction, land, equipment and/or furnishings in the school district, were or are of necessity in excess of average requirements. Upon approval of the construction by the state board of education, the school district shall be entitled to receive an annual grant as provided herein.

14-d. *Time of Computation of Grant.* Between October 1 and December 31 in each year, the state board of education shall cause to be computed the amount of the annual grants for school building aid to be paid to eligible school districts for the current fiscal year. The computation shall be based upon the total of approved costs of construction of school buildings for which loans are outstanding in each school district for the preceding fiscal year.

14-e. *Proration and Unexpended Funds.* If in any year, the amount appropriated for distribution as school building grants in accordance with section 14-b is insufficient therefor, the appropriation shall be prorated proportionally among the districts entitled to a grant. Any amounts not distributed in the first year of any biennium may be distributed in the second year if required to distribute the maximum amount permissible under section 14-a.

2. *Appropriation.* There is hereby appropriated for distribution as school building aid for the fiscal year ending June 30, 1957 the sum of three hundred fifty thousand dollars out of any money in the treasury not otherwise appropriated.

3. *Takes Effect.* This act shall take effect upon its passage, provided that the first annual grant for school building aid hereunder shall be made for the fiscal year beginning July 1, 1956.

The report was accepted, and the amendment laid upon the table under Rule No. 48.

Mrs. Roe of Newport, for the Committee on Education, to whom was referred House Bill No. 327, An Act to provide state aid for nursing education, having considered the same, reported the same with the following resolution:

*Resolved,* That it be referred to the 1957 legislature.

The report was accepted, and the recommendation of the committee adopted.

Mr. Hadley of Hillsborough, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 454, An Act relating to building reserve and schoolhouses of the former Lee School District, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Colbath of Concord, for the Committee on Judiciary, to whom was referred House Bill No. 80, An Act relative to computation of average final compensation for determination of retirement allowance under the employees' retirement system of the state of New Hampshire, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Rathbone of Exeter, for the Committee on Judiciary, to whom was referred House Bill No. 141, An Act relative to the appraisal of taxable property, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Taxable Property.* Amend section 1 of chapter 76 of the Revised Laws (section 1, chapter 75, RSA) by striking

out said section and inserting in place thereof the following. 1. *How Appraised.* The selectmen shall appraise all taxable property at sixty per cent of its full and true value, and shall receive and consider all evidence relative to the value of the property appraised.

2. *State Tax Commission.* Amend paragraph V of section 11 of chapter 82 of the Revised Laws (section 11, chapter 71, RSA) by striking out the same and inserting in place thereof the following: V. *Equalization.* In the year 1954, and every second year thereafter, to equalize the valuation of the property in the several towns and cities in the state by adding to or deducting from the aggregate valuations of the property in towns and cities such sums as will bring said valuations to sixty per cent of the true and market value of said property, so that any public taxes that may be apportioned among them shall be equal and just as between them, and to report to the legislature at each biennial session that portion of the state tax payable from each town, city and unincorporated place on the basis of such equalized valuation.

3. *Takes Effect.* Section 1 shall take effect on April 1, 1956. Section 2 shall take effect upon its passage.

The undersigned, a Minority of the Committee on Judiciary, to whom was referred House Bill No. 141, An Act relative to the appraisal of taxable property, having considered the same, and being unable to agree with the majority, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

HILDA C. F. BRUNGOT,  
WILLIAM H. CRAIG, JR.,  
LAURENCE M. PICKETT,  
DANIEL J. HEALY,  
FRED A. JONES,

*A Minority of the Committee.*

The reports were accepted.

Mr. Rathbone of Exeter spoke in favor of the report of the majority of the committee.

Mrs. Brungot of Berlin moved to substitute the report of the minority for that of the majority.

The question being on the motion.

(Discussion ensued)

Mrs. Brungot of Berlin spoke in favor of the motion.

Mr. Malley of Somersworth spoke against the motion.

Mr. Shattuck of Danville moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Shattuck of Danville, Lamprey of Moultonborough, Pickett of Keene, Perley of Lebanon and Craig of Manchester, and Mrs. Dondero of Portsmouth and Miss Collyer of Lisbon spoke in favor of the motion.

Mr. Rathbone of Exeter spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

#### **Taken from the Table under Rule No. 48**

House Bill No. 349, An Act relative to hourly wage for employees.

The question being on the amendment offered by the committee.

On a *viva voce* vote the amendment was adopted.

Mr. Comi of Concord offered the following amendment:

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Minimum Wages.* Amend sections 25 and 26 of chapter 213, Revised Laws, as inserted by chapter 310, Laws of 1949, and as amended by section 1, chapter 232, Laws of 1953 (sections 21 and 22, chapter 279, RSA) by striking out said sections and inserting in place thereof the following: 25. *Limitations.* No person, firm or corporation shall employ any employee at a rate of less than seventy-five cents per hour, provided that this limitation shall not apply to employees engaged in household labor, domestic labor, farm labor, outside salesmen, summer camps for minors, restaurants, hotels, inns and cabins; and provided this limitation shall not apply to employees engaged as newsboys or golf caddies. Further provided that no person, firm or corporation shall employ any employee as usher at a theatre or pin boy at a bowling alley, at a rate of less than sixty-five cents per hour.

26. *Special Authorization in Certain Cases.* A person with less than six months' experience in an occupation, or a

person whose earning capacity is impaired by age, or physical or mental deficiency, may be paid not less than sixty cents per hour upon application to and authorization from the commissioner of labor.

2. *Takes Effect.* This act shall take effect upon its passage.

The question being on the amendment.

(Discussion ensued)

Mr. Comi of Concord spoke in favor of the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Comi of Concord demanded the Yeas and Nays, but subsequently withdrew his demand, and asked for a division.

Mr. Kenney of Franklin demanded the Yeas and Nays, and the roll was called with the following result:

#### Yeas — 179

MERRIMACK COUNTY: Baron, Vogel, Dowd, Ferrin, Shea of Concord, Lessels, Corbett, Comi, Broadhurst, Burke, Kenney, Charland, Dempsey, Carpenter, Mason, DuDevoir, Mulaire, Brown of Loudon, Milligan, Bean.

HILLSBOROUGH COUNTY: Holmes, Black, Herrick, Fortin, Hadley, Abbott, Latour, Danforth, Geisel, Mahony of Manchester, Robb, Dwyer, Hayes, Horan, Sullivan, Fitzgerald, Kean, Nolan, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Callahan, Clancy, Ecker, Healy of Manchester, Ward 6, Slowey, Corey, Leclerc, Tessier, Craig, Lavoie, Cary, Morris, Auger, Schricker, Boisvert, Hurley, Lareau, Martel, Soucy of Manchester, Ward 12, Vaillancourt, Dion of Manchester, Gauthier, Gelinas, Lesmerises, Gamache, Buckley, Cummings, Boire, Thibault, Belcourt, Trombley, Ayers of Nashua, Brosnahan, Maynard, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Jean, Langelier, Bouthillier, Dumais, Aho, Rice, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Burnham, Thomas, Pike, Wheeler, Pickett, Waling, Brown of Marlow, Terrill, Rhodes, Thompson.

SULLIVAN COUNTY: Angus, Stone, Nelson of Goshen, Bailey, Rowell, Gamsby.

GRAFTON COUNTY: Ramsey, Pryor, Sanborn, Larty, Chamberlain of Holderness, Ashley, Talbot, Huckins.



COOS COUNTY: Dussault, Fortier, Roy, Russell, Sheridan, Brungot, Christiansen, Bouchard, Fontaine, Gagnon, Rines, Ross, Bushey, Charbonneau, Converse, Baker, Stinson.

ROCKINGHAM COUNTY: Barka, Bisbee, Clarke of Derry, Gay of Derry, Nickerson of East Kingston, Blair, Rathbone, Jones of Fremont, Battles, Labranche, Sewall, Cheney, Dondero, Hundley, Payette, Sadler, Murch, Quirk, Joyce, Wardwell, Ingraham, Willis (Howard), Felch.

STRAFFORD COUNTY: Desjardins, Felker, Webb, Flanagan, Mros, Evans, Nadeau, Lacasse, St. Pierre, Maloomian, Letourneau, Cormier, Malley.

BELKNAP COUNTY: Skinner, Hart, Morin, Simoneau, Ballentine, O'Shan, Varrell, Urie.

CARROLL COUNTY: Stokes, Weeks of Wolfeboro.

#### Nays — 157

MERRIMACK COUNTY: Ellsworth, Vaughn of Bow, Stevens, Davis of Concord, Henry, Nelson of Concord, Jewett, Rainie, Cilley, Maxham, McKee, Walker, Mahoney of Concord, Nutter, Davis of Hopkinton, Gay of New London, Wilman, Ayer of Pittsfield, Young, Lovejoy, Bigelow, Workman.

HILLSBOROUGH COUNTY: Robinson of Antrim, Wiggin, Farwell, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Goodwin, Lang of Manchester, Pettigrew, Soucy of Manchester, Ward 1, Pillsbury of Manchester, Peaslee of Merrimack, Falconer, Wadleigh, Peterson, Ramsdell, Saunders, Pappagianis, Locke, Dutton.

CHESHIRE COUNTY: Smith of Hinsdale, Perry, Spofford, Haley, Kirk, McCullough, Bennett, Coddington, Faulkner, Carlton, Sherwin, Lane Bouvier, Lang of Troy, Billings, Ingham.

SULLIVAN COUNTY: Bascom, Frizzell, Howe, Bissonett, Davis of Cornish, Reney, Vaughan of Newport, Pierce, DeLude.

GRAFTON COUNTY: Chamberlin of Bath, Plumer, Willey, Clarke of Canaan, Bradley, Hayward, Holden, Clement of Landaff, Adams, Cole, Jones of Lebanon, Perley, Townsend, Collyer, Gardner of Littleton, Kelley, Martin, Frazer, Carr, Bell, Barney, Sawyer.

COOS COUNTY: Alls, Hurlbert, Ferguson, Cornelius, Annis, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Persson, Tenney, Shattuck, Fogg, Eastman of Exeter, Eldredge, Merrill, Weeks of Greenland, Spollett, Hunter, Thurlow, Parmenter, McCaffery, Carter, Pinkham, Palmer, Travis, Munz, Philbrick, Haigh, Willis (Anna), Pillsbury of Sandown, Robinson of South Hampton, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Crandall, Pearson, Funkhouser, Littlehale, Chadbourn, Wentworth, Dustin, Carignan, Studley, Clement of Rochester, Estes, Green, Brown of Strafford.

BELKNAP COUNTY: McAllister, Rogers, Tilton, Burbank, Dana, Miner, Smith of Meredith, Atwood.

CARROLL COUNTY: Chandler, Downs, Roberts, Nickerson of Madison, Lamprey, Hayden, Hodge, Remick, Hodgdon, Peaslee of Wakefield, Ford.

And the amendment was adopted.

Mr. Lavoie of Manchester offered an amendment, but subsequently withdrew it.

The bill was ordered to a third reading.

### Reconsideration

Mr. Comi of Concord moved that the House reconsider its vote whereby it ordered to a third reading House Bill No. 349.

On a *viva voce* vote the motion to reconsider did not prevail.

### Special Order

Mr. Pillsbury of Manchester called for the special order for 11:01 o'clock, it being House Bill No. 373, An Act relative to taxation of certain personal property.

The question being on the amendment offered by the committee found in the Journal of June 1.

(Discussion ensued)

Mr. Young of Pittsfield spoke in favor of the amendment.

Mr. Pickett of Keene moved that the bill, with accompanying amendment, be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Pickett of Keene, Gay of New London, Mahony of Manchester, Brown of Marlow, Corey of Manchester and Geisel of Manchester spoke in favor of the motion.

Messrs. Cole and Ashley of Lebanon spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

### Personal Privilege

Messrs. Angus of Claremont, Pickett of Keene and Geisel of Manchester rose on a point of personal privilege.

### Report of Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 475, An Act relative to salaries of various Belknap county officials, having considered the same, reported the same with the following recommendation:

That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendments and that the following amendments be adopted:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to salaries of various county officials of Belknap, Cheshire, Coos, Grafton, Hillsborough, Merrimack and Strafford counties.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *County Sheriffs.* Amend section 27, chapter 380 of the Revised Laws, as amended by chapter 195, Laws of 1943, chapter 189, Laws of 1945, section 2, chapter 2, Laws of 1947, section 3, chapter 202, Laws of 1947, section 1, chapter 256, Laws of 1947, chapter 291, Laws of 1947, chapter 235, Laws of 1953 (section 29, chapter 104, RSA) by striking out said section and inserting in place thereof the following: 27. *Salaries.* The annual salaries of the sheriffs of the several counties shall be as follows:

In Rockingham, fifteen hundred dollars.

In Strafford, one thousand dollars.

In Belknap, fifteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, two thousand six hundred dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, eight hundred dollars.

In Grafton, eighteen hundred dollars.

In Coos, eighteen hundred dollars.

The salary of the sheriff of Grafton county shall be paid monthly.

Amend section 2 of said bill by striking out said section and inserting in place thereof the following:

2. *County Solicitors.* Amend section 20 of chapter 24 of the Revised Laws, as amended by chapters 40 and 136, Laws of 1943, chapters 2, 27, 202, 213, 242, 263, 268 and 270 of the Laws of 1947, chapter 183, Laws of 1949 and chapters 108, 122 and 179 of the Laws of 1953 (section 35, chapter 7, RSA) by striking out said section and inserting in place thereof the following: 20. *Salaries.* The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, twenty-two hundred dollars.

In Strafford, two thousand dollars.

In Belknap, eighteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, twenty-five hundred dollars.

In Hillsborough, thirty-eight hundred dollars.

In Cheshire, two thousand dollars.

In Sullivan, fifteen hundred dollars.

In Grafton, twenty-four hundred dollars.

In Coos, twenty-four hundred dollars.

Amend section 3 of said bill by striking out said section and inserting in place thereof the following:

3. *County Treasurers.* Amend section 13, chapter 48 of the Revised Laws, as amended by chapter 66, Laws of 1945, chapter 257, Laws of 1947, chapter 179, Laws of 1953 (section 14, chapter 29, RSA) by striking out said section and inserting in place thereof the following: 13. *Salaries.* The annual salaries of the treasurers of the several counties to be in full for their services and allowances of every kind, except as hereinafter provided, shall be as follows:

In Rockingham, eight hundred dollars.

In Strafford, five hundred dollars.

In Belknap, five hundred dollars.

In Carroll, five hundred dollars.

In Merrimack, six hundred dollars.

In Hillsborough, twelve hundred dollars.

In Cheshire, four hundred dollars.

In Sullivan, four hundred dollars.

In Grafton, five hundred dollars.

In Coos, four hundred dollars.

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

Amend section 4 of said bill by striking out said section and inserting in place thereof the following:

4. *County Commissioners.* Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195, and 202 of the Laws of 1943, chapters 66 and 163 of the Laws of 1945, chapters 202 and 284 of the Laws of 1947, chapters 73 and 162 of the Laws of 1949, chapters 149 and 233 of the Laws of 1951 and chapters 90 and 123, Laws of 1953 (section 28, chapter 28, RSA) by striking out said section and inserting in place thereof the following: 27. *Commissioners.* The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, eighteen hundred dollars.

In Strafford, fifteen hundred dollars.

In Belknap, fifteen hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, thirty-seven hundred fifty dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, twelve hundred dollars.

In Grafton, eighteen hundred dollars.

In Coos, fifteen hundred dollars.

In Carroll county each commissioner, when employed in the business of the county, shall receive ten dollars a day, payable as hereinbefore provided.

To the foregoing sums shall be added, in all counties, a



reasonable sum for all necessary expenses, upon order of the county auditors.

ALBERT A. VOGEL,  
RAYMOND H. CHASE,  
MILBURN F. ROBERTS,  
*Conferees on the Part of the House.*

JOHN R. POWELL,  
J. L. AINSWORTH,  
*Conferees on the Part of the Senate.*

On motion of Mr. Chase of Dover, reading of the report was dispensed with.

Mr. Chase of Dover explained the amendment contained in the report.

On motion of the same member the report of the Committee of Conference was agreed to.

### **Report of Committee of Conference**

The Committee of Conference, to whom was referred Senate Bill No. 11, An Act relative to education of children placed in homes for children, having considered the same, reported the same with the following recommendation:

That the Senate recede from its position of non-concurrence and that the House recede from its position in adopting its amendment, and that both Houses concur in the adoption of the following amendment:

Amend section 51 of chapter 137 of the Revised Laws by striking out the said section and inserting in place thereof the following:

51. *Right of Attendance: Tuition.* Whenever any child is placed and cared for in any home for children, such child, if of school age, shall be entitled to attend the public schools in the school district in which said home is located, unless such placement was solely for the purpose of enabling a child residing outside said district to attend the schools thereof. If any such child was domiciled in another school district of this state at the time of its placement in any home for children, the school district in which said child then had its domicile shall be liable for the tuition of said child in the same manner and amount as specified in Revised Laws, chapter 137, section

3-a, and chapter 138, section 26. In case such placement in any home for children results from a transfer or successive transfers of any child from one or more other homes for children, the district in which said child had its domicile at the time when it was placed in the first of said other homes for children shall be liable for said tuition. If such child was not domiciled in this state when so placed, the home for children, together with the parents or the guardian of such child, shall be jointly and severally liable for said tuition, to be recovered in an action of case, provided, however, that if the placement in a home for children of a child not then domiciled in this state was made by any state, county or town officials of New Hampshire charged with public welfare functions or by any child-placing agency licensed in this state, then the parents or guardian of such child shall be solely liable for said tuition. The commissioner of public welfare and the New Hampshire Children's Aid Society shall be exempt from the liability imposed upon guardians hereunder.

IRENE WEED LANDERS,  
JAMES C. CLEVELAND,

*Conferees on the Part of the Senate.*

JOSEPH D. VAUGHAN,  
WARREN F. METCALF,  
JOSEPH P. FORD,

*Conferees on the Part of the House.*

On motion of Mr. Vaughan of Newport, the report of the Committee of Conference was agreed to.

### **Report of Committee on Engrossed Bills**

Mesdames Palmer of Plaistow and Hayden of Ossipee, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following Senate and House bills:

Senate Bill No. 6, An Act authorizing the appointment of county public trustees.

Senate Bill No. 72, An Act relative to publication of report of audit.

Senate Bill No. 82, An Act to amend the charter of the Cheshire County Savings Bank of Keene.

Senate Bill No. 98, An Act relating to the Peterborough Home for the Aged and the James Scott and Sarah A. Scott Home.

Senate Bill No. 100, An Act relative to capital reserve funds of the city of Nashua.

House Bill No. 37, An Act relating to hawkers and peddlers.

House Bill No. 53, An Act relative to highway appropriations.

House Bill No. 65, An Act relative to liability in the operation of aircraft.

House Bill No. 70, An Act relative to the payment of forest fire expenses.

House Bill No. 71, An Act relative to reimbursement of municipalities for forest fire expenses.

House Bill No. 277, An Act relative to the storing of explosives.

House Bill No. 399, An Act relative to the construction and inspection of public buildings.

House Bill No. 403, An Act relating to the preservation of private business records and to make uniform the law with reference thereto.

House Bill No. 413, An Act relative to the payment of motor road tolls by counties, and reports to the motor vehicle commissioner on sales of motor fuel for boats.

House Bill No. 483, An Act legalizing the proceedings of the Campton Village Precinct meeting held on March 29, 1955.

House Bill No. 501, An Act authorizing the town of Hudson to fund or refund certain indebtedness.

House Bill No. 511, An Act relative to change of classification of road in the town of Gilmanton.

House Bill No. 438, An Act relating to group life insurance for share holders in credit unions.

House Bill No. 493, An Act relative to tax exemption for certain installations for water or air control facilities.

House Bill No. 528, An Act relating to sewer bonds of the town of Meredith, legalization of a town meeting in Meredith held March 8, 1955 and legalization of certain meetings held by Meredith school district, Center Harbor school district, and organization meetings of the Inter-Lakes School District No. 3.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate refused to concur with the House of Representatives in its amendments to:

Senate Bill No. 50, An Act relative to orders for delinquent children and the jurisdiction of municipal courts.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 408, An Act relating to duties of support and to make uniform the law with reference thereto.

House Bill No. 528, An Act relating to sewer bonds of the town of Meredith, legalization of a Town Meeting in Meredith held by Meredith School District, Center Harbor School District, and organization meetings of the Inter-Lakes School District No. 3.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 30, An Act relative to state parks.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 491, An Act relative to the Franklin Veterans' Home Association.

Amend the bill by adding after Section 1, a new section 2.

Section 2. *Membership.* Providing, however, that this exemption applies only if membership is limited to those who are eligible for membership in the Grand Army of the Republic, the American Legion, the United Spanish War Veterans, the Veterans of Foreign Wars, or the Disabled American Veterans, shall be eligible for membership in the Franklin Veterans' Home Association.

Further amend the bill by changing Section 2 to read Section 3.

On motion of Mr. Charland of Franklin the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 473, An Act relative to erection of so-called historical signs.

Amend section 1 of said bill by striking out the first six lines and inserting in place thereof the following:

1. *State Highways.* Amend part 19, chapter 90, Revised Laws, as inserted by chapter 188, Laws of 1945 (chapter 249, RSA) and as amended by chapter 135, Laws of 1955, by inserting at the end thereof the following new subdivision:

Marking the location of historic incidents on State Highways.

40. *Authority for Erection.* The commissioner of public works and

Further amend said section 1 of said bill by striking out the figure "40" where it occurs in the twelfth and fifteenth lines and inserting in place thereof the figure, 41; and by striking out the figure "41" where it occurs in the twenty-sixth line and inserting in place thereof the figure, 42.

On motion of Mr. Rainie of Concord the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 31, An Act relative to manufacture or sale of sling shots, black jacks, etc.



### Senate Bill Read and Referred

Senate Bill No. 31, An Act relative to manufacture or sale of sling shots, black jacks, etc.

Read a first and second time and referred to the Committee on Executive Departments and Administration.

### Reconsideration

Mr. Mahony of Manchester moved that the House reconsider its vote whereby it indefinitely postponed House Bill No. 373, An Act relative to taxation of certain personal property.

On a *viva voce* vote the motion to reconsider did not prevail.

### Resolutions

Mr. Ferguson of Jefferson offered the following resolution:

*Whereas*, Harry A. Bishop, Sr., Representative from Gorham is ill in the Hospital, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, extend our sympathy in his illness to our fellow member, and our best wishes for a speedy recovery, and be it further

*Resolved*, that the Clerk of the House be instructed to transmit a copy of these resolutions to Representative Bishop.

On a *viva voce* vote the resolution was adopted.

Mr. Bergeron of Manchester offered the following resolution:

*Whereas*, Maurice Alexander, Representative from Manchester, is ill in the Veterans' Hospital at Manchester, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, extend our sympathy to our fellow member, and our best wishes for a speedy recovery, and be it further

*Resolved*, that the Clerk of the House be instructed to transmit a copy of these resolutions to Representative Alexander at the Veterans' Hospital, Manchester, N. H.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time, and that third readings of bills be by their titles only, and that when the House adjourns to-day it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Bill No. 349, An Act relative to hourly wage for employees.

House Bill No. 454, An Act relating to building reserve and schoolhouses of the former Lee School District.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Goodwin of Hollis at 1:38 o'clock the House adjourned.

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THURSDAY, JUNE 9, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, the fountain of all wisdom, "so teach us to number our day that we may apply our hearts unto wisdom." Help us to remember that knowledge and wisdom are not always synonymous. Thou, O God, who dost read and understand the hearts and minds of men, knowest that only too often we know the way but take the wrong path; we know the truth, but evade it in our actions; we know what we ought to do, for the honor of Thy name, the welfare of the State and society, and the satisfaction of our own conscience, but only too often we side-step the issue. O God, help us to meet the perplexing problems we face from day to day with Divine Wisdom. Through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mr. Vaillancourt of Manchester led the convention in the salute to the flag.

### Guest Speaker

Pursuant to a resolution adopted by the House to invite Mr. Patrick B. McGinnis to address the Legislature, the Speaker introduced him as follows:

At a time that Winston Churchill, the Vermont writer, was putting together his great saga of New Hampshire politics, "Coniston," there was born in New York to an Irish immigrant a son who was destined to play a leading role in the life and affairs of the railroad which was to have such a prominent part in the political and economic life of the state of New Hampshire.

Our guest today was born to a man who had spent part of his wage-earning life as a railroad employee. He was, therefore, not born to the riches and wealth commonly associated with railroad tycoons. The variety of work which the young man engaged in during his early days, amply testifies to that fact. He was, however, successful in completing a college course at St. Lawrence University in 1926 and thereafter engaged in a career of *financing* that strangely enough revolved around railroads and their management.

Sometime in the early thirties when the depression was hard upon us, he became known for his uncanny ability to remember the names, issues, and standings of over 900 railroad bonding issues and forecast accurately their futures, a fact which made him extremely valuable to a small brokerage firm in New York City.

It was also about this time that he was able to appraise the merits and worth of a young lady by the name of Lucille Whitney, whom he so impressed that on August 4th of 1930 they were united in marriage, of which union was born two sons and one daughter.

In the years that followed, he became the chairman of the board of the Norfolk Southern Railroad, chairman of the board of the Norfolk Southern Bus Corporation, and chairman of the board of the Central of Georgia Railway. In April of 1954 he assumed the presidency of the New York, New Haven and Hartford Railroad, and, as we know of late, is in the position of speaking for the majority control of the Boston and Maine Railroad.

He has appeared as an expert before the Interstate Commerce Commission and has exerted a great influence on the reorganization of many class I railroads, through the mediary

of the United States District Courts. At the present time, he is also a lecturer at the New York Institute of Finance, formerly known as the New York Stock Exchange Institute.

With numerous and significant changes being made in the extensiveness of the operations of the railroad, the presence of this man, whose background indicates that he has a keen awareness of the needs of the system, is a welcome one. Proof of his forceful and dynamic activity is to be seen in the fact that within 48 hours of his control being determined, he countermanded an order to close several railroad stations along the line.

We cannot, therefore, look upon his visit here with anything other than optimism and it is in that light, therefore, that the chair introduces to you one whom we hope will play a great part in the changing structure of the economic life of the state of New Hampshire, not in the light as "Coniston" had it in the old days, but more in the light of a partner in our civic growth, Patrick Benedict McGinnis.

### Address of Patrick B. McGinnis

*Thank you, Mr. Speaker, Ladies and Gentlemen:*

For the last 30 years, I have devoted my entire life to railroads; and the study of railroads, the study of transportation, the study of finance, and the study of their operations — not only service transportation, bus transportation, and pipe line transportation. Although my life was spent, to a great extent in Wall Street, my mind was always trying to figure out ways and means of preserving the railroad in the hands of private operators.

During the course of this study, it led me to certain conclusions about railroads; and in the first part of my talk, I would like to relate to you the conditions which I found them in when I decided to stop talking to academic halls about the railroad problems, and become part of management; despite the fact that I have never driven a spike, or operated an engine — to become part of management, so that I could carry out in a practical way, those things that I felt about railroad management.

Railroad industry in the United States is the oldest form of corporate activity we have — with one or two exceptions in the banking field — we have the oldest corporations.

The New Haven Railroad this year is 130 years old. It is a combination of 219 small railroads — as is every railroad in this country. None of them started out as a big railroad — as is the Boston and Maine, and every other railroad in the United States that you can mention is nothing but a combination over the years of a lot of old railroads.

For 70 years this tremendous railroad empire had a monopoly on freight, a monopoly on passenger business; as a result of those monopolistic days, in 1887, because of the pressure of the Grangers movement in the west, and certain scandals, with which all great movements are accompanied, they were regulated — back in 1887. Those regulations, ladies and gentlemen, are still on the book; and those legislators, in 1886 were not thinking of air lines, trucks, automobiles, or natural gas lines, or pipe lines; but the regulations under which the railroads operate are still the same as they were in 1887; and further than that, in 1910, the rubber tire appears on the scene, and you know what has happened.

We now have 58 million automobile registrations, plus the trucks; about 50 million automobiles and 8 million trucks — so, Ladies and Gentlemen — the day and age of competition for the railroads arrived in the passenger business; so today, 90 percent of all intercity passenger business is done with the private automobile; about 3 percent by bus; about 5 percent by rail, and about two percent by airline — and in the luxury type, so-called Pullman business, the airline is running away ahead of the railroad. So that you made your choice — over the private automobile versus the railroads — the same as millions of other people did. But, why did you? You made your choice, because the private car gives you what you want, and the railroads don't. The railroads stopped trying to give you what you wanted — they stopped trying; they refused to give you comfort, and speed, and low fares and parking; so, you quit them. I am speaking to you, naturally symbolically of the people of the United States.

Forty years ago — you remember the first automobile — naturally, you people are too young for that — I don't remember it myself; but anyway, they tell me that you climbed up into it, like you did a wagon. I saw pictures, and you did. The first automobiles were nothing but a wagon with an engine in them.

Forty years ago, you climbed up into a railroad car too;



so that when you got up into it, you were sitting five feet off the ground. Every bit of progress that has been made in the automobile industry has catered to your wishes; with the comforts, more speed — whether that is good or bad is debatable; because every car has a greater horse power — you want comfort, and speed, and low prices. Relative to the price of the dollar, you have succeeded in getting them; so that when you go out to the car, you are two feet off the ground instead of five feet off the ground.

What did they do in the railroad? You still sit five feet off the ground in the railroad car — five feet! not one inch has been conceded to your comfort over these years.

Now, I have been thinking for years — why can't the railroad give you what the private car has? And we are going to do it. I was the first railroad president to bring out the low-center-gravity train. It was available five years ago; but not a single railroad president would touch it. I brought it out and demonstrated it; and I ordered four of them; and we are going to have 30 of them running in the New England territory by next year — some even this year. What are they? You sit two feet off the ground; they are 50 percent lighter than present cars; they are 75 percent cheaper; their top speed, 120 miles an hour, so that they will compete and give you what the private car has.

In all parts of New England, we must have parking space available for every customer; every railroad customer should be guaranteed a parking space. If the cost of the land and the amortization of the black-top amounts to anything, obviously, it should be paid for by a nominal charge for parking, as they have in every place that you can think of; but that combination of what? A place to park, a high speed that you get in your automobiles, plus low cost, will bring back to railroads the business that now goes to private cars — because we are going to give you what you want; and when you go into the cities, the cost of a railroad ticket, eventually, when we have these trains, will be less than it costs to park your car when you go into the city. We must give you what you want, instead of what we think you want — and for 40 years, the railroad managements have resisted that by refusing to give you what you want. We are going to change it. We are in a competitive field; we must compete with what we have, and they are your wishes.

Now, some of the other things about the railroad. Since the last 40 years, we have had not only the automobiles, but the trucks — the rubber-tire competition. There are two things that affect the shipper — one is fares — tariffs, as they call them, and the other is service. If the railroads cannot give you the service and the rates you want — the trucks should get the business. We have thrown in the sponge years ago on service and on rates; some of it, however, has been unfair.

Our managers have allowed us to operate for the last 30 years, and the last 20 particularly, with the most unfair set of rules that you ever heard of.

I am not referring to the common carrier truck — he has the same difficulty as I do with regulations; and if I cannot compete with him, he ought to get the business. I am trying to compete with him, and if there is one thing I will do in New England is improve the railroad service of the small package business, because that is your business in New England. You do not have heavy industry, and the railroads must cater to the LCL — the small package business, and we are going to. We are going to extend piggy-back into New England — that is, working with the common carrier truck. But other things exist; for instance: Who do you think brings the coal and oil into New England? Do you think the railroads do? They don't. We bring in less than 10 percent of the energy in New England. Why? Because years ago, the so-called barges, which are exempt from regulations brought it in — now the tankers bring it in; no regulations from anybody; and now, the pipe lines, and last, but not least, the natural gas pipe lines competing with me. Do they have any regulations? No. I am regulated to the teeth, but those outfits can make bulk rates, and they do, on oil and on coal. Do you understand, ladies and gentlemen, that back in 1887, I was forced to make a carload rate; and 50 years; 60 years later, I still have to make a carload rate on everything — whether you want a million tons of coal, or a million barrels of oil — I have to make a rate of one tank and on one carload; and my competition doesn't. The barges make a barge rate; the tanker — those great big 30-ton tankers make tanker rates; and so do the pipe lines. We want to remove that.

The President's Cabinet Committee report has handed down to us, and the transportation industry words which say this: "Allow the railroads to compete." It goes into the truck-

ing field also. Where agricultural products and fish are exempt from transportation regulations, under the guise of helping the farmer; so what happens? You have the greatest bunch of gypsy truckers running potatoes from Maine to Florida, and oranges back — and no regulations of any kind! Who does he help? To whom does he contribute? No one. Now, if you are going to carry agricultural products and fish, with no regulations, let the railroads do it; let us do it. Then you have the Contract Carrier Truck — who is he? The man who makes contracts and carries tonnage. I cannot make a contract. Why should he be able to?

I could go on with those things. Why should railroad management allow the railroad to deteriorate?

Why should we give the labor man better conditions, better tools, social security, and fringe benefits, when there are no jobs; when every year in the railroad, there are less men working — every year, except the war years.

What benefit of having jobs, fringe benefits, and good wages, and better working hours, if there are no jobs?

Our leaders of the railroad industry led us to that position; because most of them, ladies and gentlemen, were sitting around waiting for their pensions; and because they have no investment in the railroad which they are running; so that the results, whether a deficit or profit was academic to most of the managers of these railroads. That has changed. These conditions should never have been allowed to exist as long as they were.

And other things: How do we dress ourselves? How did the railroads dress themselves?

Because of the gracious ladies here, I'll start first illustrating: If you wanted to buy a wooden ice box, you probably would go to the junk shop at the edge of town, or to an antique shop; but if you told me that, I would say, No, there are plenty of wooden ice boxes. Where? There are plenty of them in the Boston and Maine Yards, and the New Haven Yards — wooden ice boxes that you put ice and salt in. That is how we are trying to do business in 1955.

Did you ever see a truck carrying around a wooden ice box full of lettuce or oranges? No, you didn't.

Another thing, we are still running around the country with couplers. Do you know what a coupler is? That is when you

get on a Boston and Maine train, or on a New Haven train — when you are about ready to go to sleep BANG! That is a coupler, attaching another car. They are great big iron things.

Forty years ago, we changed the coupler — and Congress made that change. Remember the Lincoln Ten; which was primarily used to crush the thumb and hands of the railroad man! That is how progressive our boys were. They haven't changed a coupler since. Why can't we be like airplane hands — The D.C. 7 — going 120 miles an hour; and have shock absorbers to take up all these things. Of course we can, with proper leadership.

The supply industry — Railroads are still buying stuff for supplies as they did 50 years ago. You all have heard of Diamond Jim Brady! you know where he got his diamonds? From commissions from railroad equipment.

I don't know who is getting the diamonds; but there are so many things I can mention.

The Boston and Maine and New Haven Track are 39 feet long. They made the mold 40 years ago; probably 40 years ago, they had a flat car forty feet that they had to carry somewhere. Why couldn't the track be one thousand feet long, or two thousand feet or one hundred — no, it's got to be 39 feet, so at the end of every 39 feet, you have a joint. There are no joints in Concord, but some of you have been to New York, and the joints there are expensive — easy to get into, but hard to get out of; they are no different on the railroad; two joint bars, 6 bolts; 6 nuts, 6 washers; two applications for the signal boys to monkey around with.

This summer, New Haven will lay 81 miles of rail between Kingston, Rhode Island, and New Haven, Connecticut — ribbon rail; not a joint in the whole 81 miles. That should have been done years ago. You weld everything; battleships, buildings, etc. There never will be another railroad laid on the New Haven, unless it is welded together. Why? So that we can compete; so that we can eliminate waste; and that is one of them.

I can go on mentioning other things — the passenger cars, which I talked about briefly — not only five feet high, but when you go in, there are 4 feet above your head. You know what that is for? For heat in winter time; cool in summer time; no other purpose. When you get into an airplane, there is no four feet above your head; basket-ball teams on airplanes cut a hole in the top.



These are some of the things I want to outline to you. What are we going to do about it? On the New Haven, or anything I have to do with, we are going to have new equipment. We are going to get rid of wooden ice boxes; couplers; one thing I forgot to mention: When I go back in the car tonight I get a 12-hour report. What happens? A fast freight from Boston going to Chicago; 150 cars of freight rolling along there; one axle has a hot box — stops the whole train; mixes up the whole railroad. Why? Because we have a great devotion to Caesar on the railroad. Our standard gauge came from his chariot; but worse than that our axles came from his chariot; still using the same axles Caesar used on his chariot. Why don't we have roller bearings? If you gave your 8-year old skates without roller bearings, he would look at you and ask you where did you get them; not the railroad, we insist on the same old system.

This stuff must stop. It is a nuisance. We are in business, competitive business; and we must turn the railroad industry around; and with the help of who? With the help of our labor boys. They show us how to do it. We are going to follow them into the halls of Congress in Washington and tell them all we want is the right to compete; if contract carriers make contract rates, we want them; if agricultural boys carry agricultural products with no tariffs, we want to be able to; we want to be able to make bulk rates; the tankers do.

If private-industry boys are permitted to own their own trucks and trick-leases it, we want to be able to.

That is American 1955 — the age of competition — that is what you want, and that is what the railroads should like and that is how the railroads will like it and should prosper.

Specifically, as you have heard, I came to New England by deliberate choice — not by accident of birth. My election in 1954 was not quite unanimous — there was some difference of opinion. However, I came here. I have operated in the south and in the west. I have been a consultant on railroads in almost every part of this country; and I know something about the railroad business; and I know something about New England; and I did not come here because I thought the future of New England was down. I came here because I believe the greatest future of any section of the United States is here, if you plan it. How, and why? You have the greatest place to live.



I made a mistake one night in Rhode Island by saying Rhode Island was the greatest place to live — now I say, New England.

Confidentially, I think your State would compete with any of the other six of them; and I know with any of the 48.

When I say a wonderful place to live — you are giving the people who work here — and I mean across the board, the white-collar man as well as the other kind, the greatest thing in life; at least from a material standpoint — a place to live and bring up your children, and breathe, and look at something that is attractive. How many of you have traveled across the great State of Texas, from Forth Worth to El Paso, like I have many times. What do you see? Nothing but yourself in the glass — nothing. Oh, you may see an oil derrick once in a while, but all those fellows live in New York or Chicago — they do not stick around down there.

Did you ever drive across Mississippi, or Albama, or North Carolina, or South Carolina? What have they got? The only thing they have is better planning, better organized; they are salesmen.

I will illustrate. I was a consultant in Dallas; they want to steal an industry from New Haven or Hartford, let's say; what happens? They get the idea; they call up their two senators, their Governor; ministers of the Gospel, and say, meet me at the Airport.

What happens in New England? I call up all excited about an industry which wants to locate here from St. Louis, Chicago, or the Queens, New York, and I say the same thing. What happens? You say, "Now look here, McGinnis, you haven't been up here very long. Calm down; we'll hold a meeting." We hold a meeting; then we get a little tired, and hold another meeting this time at Poland Springs — more restful; then we hire one of the great universities to write a book that requires a car to lug it around with you; a couple of years later, we get a report; in the meantime, the industry has gone some place else.

In other words, we confuse dignity sometimes with, in my opinion, a lack of desire. We are competitive in New England, we are national in scope. Decentralization has given us a piece of everything, the same as Kansas and the rest of them. We must plan in order to maintain that. We must compete, not

only railroad-wise, but municipal-level-wise, and state-wise. We must study what we have.

I propose to do something about it in New England.

Two things:

No. 1: I am now surveying sites in New England in every state. Instead of talking about that site, I am going to buy it for industry. We have too much of this coming into a city or town with business.

I think I can buy that. Obviously, the price is inflated, it is only human nature.

I started off in Rhode Island by buying 5,000 acres along the track, seven miles of potato land, which will become industrialized. I hope that is what the people want.

As long as 12 months ago, I have made a survey in Connecticut, Massachusetts, and New Hampshire; obviously confidential; where I want to end up with 50 sites in Massachusetts, Rhode Island, and New Hampshire, and possibly Maine; 50 sites or catalogs; where? Obviously on the railroad, or with very close access.

No. 2: They will have relatively good water; No. 3, relatively good topography. That is all; I don't care where they are as long as the price is a going concern price. In other words, if it is farm land; a good price, with a slight premium on it. I want to have it in book form, because I have already talked throughout the United States about this.

There has been no declination against New England; it has been lack of planning.

I am planning now to take two trips — 160 men from New England to show you what industry is doing in other states — in the south and in the west. Those trips will start after Labor Day, and I hope New Hampshire will be well represented. What purpose? To show you exactly what I am trying to do with the New Haven and other railroads in New England.

You know, we are not unanimous on some of these things; we cannot expect to be; but I believe it can be accomplished, so that New England, who for so many years leaders in everything, such as the shoe industry — that you will always lead and never follow.

Sometimes the older industry, such as the shoe industry, we sometimes follow the styles, rather than lead them; and likewise in textiles. We don't have to; we never did, and we can convert that back to where we were.

Since I have been President, I have expanded our development corporation; where I now have 12 men whose duties are nothing else but to locate industry.

I don't believe in duplication, however, in wasteful duplication. I don't believe in duplication of terminals, duplication of track, and duplication of a lot of other things wasteful to you and to me. I don't believe in duplication of presidents and vice-presidents, as you may have discovered. On the other hand, I don't believe a railroad can cannibalize itself into anything but the junk yards; and that, ladies and gentlemen, is what the railroad in your state was trying to do — cannibalize itself by selling branch lines; first thing you know they will be taking up the third tie.

You cannot cannibalize yourself for anyone's benefit, except the junk yard. Let me tell you, in my operation we will stop that. We will recover the tracks we have sold. We will get back to Concord and Claremont, if we can; and every other line, for this reason.

Specific reason: How do you know where industry is going to locate?

An illustration: Branch line on the Southern Railroad, running from Lynn, Massachusetts to Hendersonville, North Carolina — 1200 people in Hendersonville; they carried 9 carloads of apples every year. Under normal circumstances, under normal operations, that would have been abandoned; but no, they had a smart man in charge running the Southern — Henry Debusse — he said "no, leave it there." That's where General Electric are moving their outside electric-light business — from Lynn, Massachusetts, to Hendersonville, North Carolina.

But never another inch will be abandoned, because that might be just where the lightning will strike, and what little you save. If I can't run a railroad, without supporting it by sale to the jockies, I am making the most serious mistake of my life, because I have every nickel I own invested in this industry, as opposed to some of the other people you hear about; but I came here to turn the Railroad business around in New England.

Now, Gentlemen, I have taken too much of your time; but I want to tell you I am here to stay; my investment is here, and I intend to make a profit. Don't misunderstand me. I am

not coming here to support anybody, but I did come to serve you; to give you what you want, and if I do, you'll use me and pay me a reasonable price for it, and I am going to do it. Now, gentlemen, this is the only time you will see me.

However, I refer you to those states where I have operated for one year.

As you know, I must get authority from the Interstate Commerce Commission; so, gentlemen, if you have time between debating your lottery bill to say you would like to take a chance on me, tell the I.C.C. Thank you very much.

### Resolution

Mr. Hambleton of Goffstown and Senator Washburn of District No. 4, offered the following resolution of appreciation:

*Whereas* at the invitation of the House of Representatives, Patrick B. McGinnis was cordially invited to address the members of the New Hampshire Legislature as to potential plans and ideas for the operation of the Boston & Maine Railroad; and

*Whereas* Patrick B. McGinnis has this date graciously accepted the invitation tendered, and delivered a speech of interest and encouragement to the entire state;

*Now, Therefore, Be It Resolved*, that we, the members of this Legislature extend our thanks to Mr. McGinnis for his splendid address, and further that we be recorded as expressing the sincere wish that Mr. McGinnis be enabled to place his plans and ideas in action as President of the Boston & Maine Railroad; and

*Be It Further Resolved*, that the Speaker of the House and President of the Senate deliver a copy of this resolution to Mr. McGinnis.

On a rising vote the resolution was adopted.

The Speaker declared a recess.

(After recess)

### Leaves of Absence

Messrs. Nute of Farmington, Urie of New Hampton, and Jones of Fremont were granted leave of absence for the day on account of important business.

Messrs. Dudley of Brentwood, and Spaulding of Hudson were granted leave of absence for the day on account of attending a funeral.

### Vote Recorded

Mr. Pillsbury of Manchester and Mr. Rainie of Concord rose to be recorded as not having voted in favor of the resolution offered by Mr. Hambleton of Goffstown and Senator Washburn of District No. 4.

### Committee Reports

Mr. Ashley of Lebanon, for the Joint Committee on Ways and Means and Education, to whom was referred House Bill No. 375, An Act establishing a state revenue-raising pool, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out section 10 and inserting in place thereof the following: 10. *Distribution.* The state treasurer, after deducting expenses incurred hereunder and after carrying out the provisions of section 16 hereof shall distribute the balance of the funds in his hands as shown by the report of the director as follows: To towns and city school districts for construction aid which shall include the acquisition and development of site, construction of buildings, architect and engineering fees, purchase of equipment, and other costs necessary for the completion of the building, and the alteration, additions to, or improvement of existing school facilities, in accordance with legislative directive.

The undersigned, a minority of the Joint Committee on Education and Ways and Means, to whom was referred House Bill No. 375, An Act establishing a state revenue-raising pool, having considered the same, and being unable to agree with the majority, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

DRAPER W. PARMENTER,  
DAVID BRADLEY,  
FRANK J. DOWD  
GEORGE W. SHATTUCK  
MARTHA G. WEBB,  
ROSAMOND HERRICK  
ELIZABETH LAW TRAVIS  
C. C. SPOFFORD



ELEANORA C. NUTTER  
FREDERICK H. INGHAM*For the Minority of the Joint Committee.*

The reports were accepted.

Mr. Stearns of Durham spoke in favor of the report of the majority.

Mr. Ingham of Winchester moved that the report of the minority be substituted for that of the majority.

The question being on the motion.

(Discussion ensued)

Messrs. Ingham of Winchester, Ford of Wolfeboro, Ballentine of Laconia and Mesdames Ayer of Pittsfield and Roe of Newport spoke in favor of the motion.

Mr. Dana of Laconia, Talbot of Orange and Miss Collyer of Lisbon spoke against the motion.

Mr. Parmenter of Londonderry moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Mr. Parmenter of Londonderry spoke in favor of the motion.

(Mr. Walker of Concord in the Chair)

Messrs. Bradley of Hanover, Malley of Somersworth, Clement of Rochester, and Rainie of Concord spoke in favor of the motion.

Messrs. Geisel of Manchester, Gay of New London, and Pickett of Keene and Mrs. Brungot of Berlin spoke against the motion.

(Speaker in the Chair)

Messrs. Brown of Loudon, Lamprey of Moultonborough, and Littlehale of Durham, and Mrs. Funkhouser of Durham spoke in favor of the motion.

Messrs. Gardner of Littleton and Maloomian of Somersworth spoke against the motion.

On a *viva voce* vote the Chair was in doubt.

Mr. Pillsbury of Manchester called for a division.

A division being had, 177 members having voted in the

affirmative, and 156 members having voted in the negative, the motion to indefinitely postpone prevailed.

Mr. Lavoie of Manchester demanded the Yeas and Nays.

Mr. Geisel of Manchester moved that the House adjourn.

On a *viva voce* vote the motion did not prevail.

### Yeas — 181

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Black, Herrick, Poore, Reed, Hadley, Goodwin, Lang of Manchester, Soucy of Manchester, Ward 1, Pillsbury of Manchester, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Buckley, Cummings, Ramsdell, Saunders, Locke, Aho, Dutton, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Burnham, Pike, Smith of Hinsdale, Perry, Spofford, Haley, Kirk, McCullough, Wheeler, Bennett, Coddington, Faulkner, Carlton, Sherwin, Terrell, Lane, Bouvier, Ballam, Rhodes, Billings, Ingham.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Bloomfield, Bissonett, Firestone, Davis of Cornish, Nelson of Goshen, Reney, Bailey, Roe, Rowell, Vaughan of Newport, Pierce, DeLude.

GRAFTON COUNTY: Pryor, Willey, Campion, Bradley, Hayward, Holden, Sleeper, Clement of Landaff, Cole, Townsend, Kelley, Martin, Frazer, Carr, Bell, Barney, Sawyer.

COOS COUNTY: Alls, Hurlbert, Ferguson, Cornelius, Baker, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Persson, Tenney, Shattuck, Fogg, Barka, Bisbee, Clarke of Derry, Blair, Eastman of Exeter, Eldredge, Merrill, Rathbone, Weeks of Greenland, Spollett, Hunter, Tobey, Thurlow, Parmenter, McCaffery, Cheney, Carter, Travis, Munz, Ingraham, Mafera, Philbrick, Haigh, Willis (Anna), Willis (Howard), Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Karkavelas, Felker, Webb, Connell, Crandall, Pearson, Funkhouser, Littlehale, Chadbourn, Wentworth, Evans, Dustin, Studley, Clement of Rochester, Estes, Green, Malley, Brown of Strafford.

BELKNAP COUNTY: McAllister, Gardner of Gilford,

Robertson, Hart, Tilton, Ballentine, Karagianis, Burbank, Varrell, Atwood.

CARROLL COUNTY: Chandler, Downs, Roberts, Stokes, Nickerson of Madison, Lamprey, Hayden, Remick, Hodgdon, Ford.

MERRIMACK COUNTY: Ellsworth, Vaughn of Bow, Vogel, Stevens, Dowd, Davis of Concord, Henry, Hancock, Shea of Concord, Lessels, Nelson of Concord, Jewett, Rainie, Cilley, Maxham, McKee, Walker, Mahoney of Concord, Nutter, Broadhurst, Davis of Hopkinton, Brown of Loudon, Milligan, Wilman, Ayer of Pittsfield, Lovejoy.

### Nays — 158

HILLSBOROUGH COUNTY: Farwell, Jones of Francestown, Fortin, Abbott, Latour, Pettigrew, Danforth, Geisel, Mahony of Manchester, Robb, Dwyer, Hayes, Horan, Sullivan, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Callahan, Clancy, Ecker, Healy of Manchester, Ward 6, Slowey, Corey, Leclerc, Tessier, Craig, Delisle, Langlois, Lavoie, Cary, Morris, Auger, Bergeron, Schricker, Boisvert, Hurley, Lareau, Martel, Soucy of Manchester, Ward 12, Vaillancourt, Dion of Manchester, Gauthier, Gelinis, Lesmerises, Cannon, Donnelly, Gamache, Peterson, Boire, Thibault of Nashua, Belcourt, Trombley, Ayers of Nashua, Brosnahan, Maynard, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Bouthillier, Willard.

CHESHIRE COUNTY: Thomas, Pickett, Waling, Brown of Marlow, Lang of Troy, Thompson.

SULLIVAN COUNTY: Howe, Stone.

GRAFTON COUNTY: Ramsey, Chamberlin of Bath, Stevenson, Plumer, Clarke of Canaan, Sanborn, Larty, Chamberlain of Holderness, Ashley, Jones of Lebanon, Perley, Collyer, Gardner of Littleton, Talbot, Huckins.

COOS COUNTY: Dussault, Fortier, Roy, Russell, Sheridan, Brungot, Christiansen, Bouchard, Fontaine, Gagnon, Rines, Potter, Annis, Charbonneau, Stinson.

ROCKINGHAM COUNTY: Gay of Derry, Nickerson of East Kingston, Battles, LaBranche, Sewall, Pinkham, Palmer,

Barrett, Dondero, Hundley, Payette, Sadler, Murch, Quirk, Wardwell, Pillsbury of Sandown, Felch, Robinson of South Hampton.

STRAFFORD COUNTY: Chase, Desjardins, Stearns, Lacasse, St. Pierre, Maloomian, Letourneau, Cormier.

BELKNAP COUNTY: Skinner, Morin, Simoneau, O'Shan, Dana, Miner, Smith of Meredith.

CARROLL COUNTY: Hodge, Peaslee of Wakefield, Weeks of Wolfeboro.

MERRIMACK COUNTY: Baron, Ferrin, Corbett, Comi, Burke, Charland, Dempsey, Carpenter, Mason, DuDevoir, Gay of New London, Thibeault of Pembroke, Young, Bigelow, Bean, Workman.

### Pairs

Hambleton of Goffstown voting yes, Converse of Pittsburg voting no.

Rogers of Laconia voting yes, Spaulding of Hudson voting no.

Nute of Farmington voting yes, Casey of Manchester voting no.

Benson of Conway voting yes, Kearns of Manchester voting no.

Millar of Claremont voting yes, Bushey of Northumberland voting no.

Urie of New Hampton voting yes, Gamsby of Sunapee voting no.

Phelps of Andover voting yes, Kenney of Franklin voting no.

And the motion to indefinitely postponed prevailed.

### Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it postponed indefinitely House Bill No. 375.

On a *viva voce* vote the motion did not prevail.

Mrs. Frizzell of Charlestown, for the Committee on Judiciary, to whom was referred House Bill No. 420, An Act rela-

tive to Totten trusts, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mr. Pickett of Keene moved that the bill be recommitted.

On a *viva voce* vote the motion prevailed.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 489, An Act relative to registration and re-registration of partnerships, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of chapter 186 as inserted by section 1 of said bill by inserting after the word "are" in the eleventh line the word, referred, so that said section as amended shall read as follows:

1. *Registration*. Every sole proprietor doing business in this state under any other name than his own, and every partnership, corporation, or association doing business in this state shall register the trade name of such business in the manner provided in sections 5 and 6. The provisions of this subdivision shall not apply to corporations organized under chapters 272, 273, and 274 of the Revised Laws, except as such corporations may be doing business under trade names other than the name of the corporation; and the provisions hereof shall not apply to rating organizations, advisory organizations, or any group, association or other organization or insurers which engage in joint underwriting or joint re-insurance which are referred to in, and subject to the provisions of, chapter 329-A of the Revised Laws as inserted by chapter 235 of the Laws of 1947. The secretary of state shall decline to register any trade name similar or likely to be confused with or mistaken for any trade name title or identification of any existing validly registered person, proprietorship, firm, partnership, corporation or association unless such existing person, proprietorship, firm, partnership, corporation or association assents in writing to the adoption of such similar name.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:



2. *Takes Effect.* This act shall take effect July 1, 1955.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Brown of Strafford for the Committee on Judiciary, to whom was referred House Bill No. 505, An Act to repeal charters of certain corporations, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the following:

"Boudreau, A. L. & Sons, Inc. (Tilton, 1953)"

"Bump Transportation, Inc. (Goffstown, 1953)"

"Carr, Alvah, Dowel Co., Inc. (Ashland, 1953)"

"Consumers' Mart, Inc. (Manchester, 1953)"

"Fairbanks, O.K., Co. (Keene, 1942)"

"Granite State Motors, Inc. (Tilton, 1952)"

"Granite State Refrigeration and Air Conditioning, Incorporated. (Manchester, 1950)"

"Hamilton, Inc. (Laconia, 1952)"

"Lakes Region Laundry & Cleaners, Inc. (Laconia 1949)"

"Northfield Realty, Inc. (Northfield, 1953)"

Further amend section 1 by inserting after "Center Ossipee Market, Inc. (formerly Center Ossipee Market, Incorporated, Ossipee, 1946)" the words, Central Garage of North Conway, Inc. (North Conway, 1933)" by inserting after "Fireplaces Incorporated. (Conway, 1952," the words, Fitch-Murray Company, Inc. (Concord, 1950)

by inserting after "Uncanoonuc Incline Railway and Development Co. (Goffstown, 1903)" the words, Union Grange Fair Association, The (Plymouth, 1909)

by inserting after "Var Realty Company, Inc. (Manchester, 1951)" the words, Varick, John B., Company, The (Manchester 1884)

By inserting after "Whitehall Cabins, Inc. (Manchester, 1952)" the words, White Mountain Furniture Company, Inc. (Bristol, 1953)

Further amend said bill by inserting after section 4 the following new section:

5. *Annual Returns for Voluntary Corporations.* The

provisions of section 4-b of chapter 272 of the Revised Laws, as inserted by section 8 of chapter 171, Laws of 1955, entitled, An Act relative to fees for business, voluntary and foreign corporations, shall take effect as of June 1, 1956.

Further amend said bill by renumbering section 5 to read section 6.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Gauthier of Manchester, for the Committee on Liquor Laws, to whom was referred House Bill No. 515, An Act relative to transfer of liquor licenses and beverage permits to clubs in certain cases, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend paragraph I of section 24-a as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following: I. Notice of the number of days during which the new premises are to be used shall not exceed three days at any one time, nor more than twice in any one year to any organization.

The report was accepted and the amendment adopted.

Mr. Rainie of Concord offered the following amendment:

Further amend section 1 of the bill by inserting in the sixth line (of the printed bill) after the word "location" the words, owned or controlled by the licensee, so that said section as amended shall read as follows:

1. *Liquor Commission.* Amend chapter 170 of the Revised Laws, (chapter 178 RSA) by inserting after section 24 the following new section: 24-a. *Transfer of Location.* Any club holding a license hereunder or an on-sale permit may petition the commission for permission to operate under said license or permit at a location owned or controlled by the licensee other than that designated in such license or permit. The commission may grant such permission upon the following conditions: I. Notice of the number of days during which the new premises are to be used shall not exceed three days at any one time, nor more than twice in any one year, to any organization. II. The petition has attached thereto written statements from the officials of the town where new premises located as follows: ap-

proval of chief of fire department as to safety of said premises, approval by health department as to sanitary accommodations and approval by chief of police department as to accessibility of said premises. III. During the time said additional premises are in use the premises at the original location shall be closed. IV. No games of chance of any sort shall be allowed at the additional premises which are so used under permission from the commission.

Mr. Rainie of Concord moved that reading of the amendment be dispensed with.

(Discussion ensued)

Messrs. Rainie of Concord and Pickett of Keene spoke in favor of the motion.

Mr. Geisel of Manchester spoke against the motion.

On a *viva voce* vote the motion prevailed.

The question being on the amendment.

(Discussion ensued)

Mr. Charland of Franklin spoke against the amendment.

Mr. Pillsbury of Manchester called for a division.

A division being had 173 members having voted in the affirmative and 38 members having voted in the negative, the amendment was adopted, and the bill ordered to a third reading.

Mr. Rathbone of Exeter, for the Committee on Judiciary, to whom was referred House Bill No. 374. An Act establishing a division of appraisals within the department of the tax commission, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relating to assistance to municipalities by tax commission in appraising taxable property.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *State Tax Commission.* Amend chapter 82 of the Revised Laws (chapter 71, RSA) by adding after section 28 thereof the following new section: 29. *Assistance to Municipalities.* The commission may assist any municipality in the

appraisal and valuation of the taxable property therein upon written request by the proper municipal officers or when the municipality shall so vote, and the reasonable expense of commission employees not to exceed the actual cost thereof shall be paid to the commission by such municipality. Said reimbursements shall be credited to the appropriation for the commission.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Payette of Portsmouth, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 89, An Act relative to purchases by the director of purchase and property, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Payette of Portsmouth, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 90, An Act relative to emergency purchases by the division of purchase and property, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Lavoie of Manchester, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 149, An Act excusing appearance for motor vehicle violations in certain cases, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 by striking out said section and inserting in place thereof the following:

1. *Motor Vehicle Violations.* Amend section 30-b of chapter 118 of the Revised Laws as inserted by section 3 of chapter 239, Laws of 1953, as amended by section 3 of chapter 260, Laws of 1953 (section 37, chapter 262, RSA) by striking out said section and inserting in place thereof the following: 30-b. *Excused from Appearing.* Any person charged with the violation of a law involving the operation of a motor vehicle,

except where the penalty provides for imprisonment, who does not wish to contest the charge, may, under rules established in the discretion of the court, sign an attorney form or other statement admitting his guilt, and deposit with the clerk of court or other authorized person the fine established by the court for such violation.

The report was accepted.

The question being on the amendment.

Mr. Soucy of Manchester, Ward 1, moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Soucy of Manchester, Pickett of Keene, Faulkner of Keene, Bisbee of Derry, and Green of Rollinsford spoke in favor of the motion.

Mr. Rainie of Concord spoke against the motion.

On a *viva voce* vote the motion prevailed.

### Special Order

On motion of Mr. Pillsbury of Manchester the remainder of the calendar was made a special order of business for Tuesday, June 14 at 11:01 o'clock.

### Resolutions

Mrs. Brungot of Berlin offered the following resolution:

*Whereas*, Grace M. Phelan, Representative from Stark, is seriously ill in hospital, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, hereby extend our sympathy to our fellow member in her illness and our best wishes for a speedy recovery to health, and be it further

*Resolved*, that the Clerk of the House send flowers to Mrs. Phelan and a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mrs. St. Pierre of Rochester offered the following resolution:

*Whereas*, at the Owls' Party Wednesday evening, June 8, 1955, Miss Elsie C. Bailey, Representative from Newport, read a paper about the "Old Man of the Mountains," and



*Whereas*, the story of this well known Great Stone Face in Franconia is not only very interesting but is particularly appropriate in this, the Jubilee Year celebrating the 150th anniversary of the discovery of this "trademark" of our state, therefore be it

*Resolved*, that Miss Bailey's history of this discovery be printed in the Journal.

On a *viva voce* vote the resolution was adopted.

Mr. Plumer of Bristol offered the following resolution:

*Whereas* temporary installations to the public address system installed through the Civil Air Patrol, and

*Whereas* it appears that the installation of the additions to the Public Address System of the House has apparently met with approval on the part of the membership of the House, therefore be it

*Resolved*, that the sum of three hundred dollars be expended under the direction of the Civil Air Patrol to make such additions permanent installations to the public address system, said sum to be a charge on the legislative appropriation, and be it further

*Resolved*, that the thanks and appreciation of the House be and are hereby expressed to the members of the Civil Air Patrol and to our fellow member, John F. Brown of Marlow, for the interest and part they have respectively played in the improvement of the House public address system.

On a *viva voce* vote the resolution was adopted.

### Reconsideration

Mr. Soucy of Manchester, Ward 1, moved that the House reconsider its vote whereby it indefinitely postponed House Bill No. 149.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

The House was immediately called to order in the afternoon session.

### Afternoon

On motion of Mr. Wadleigh of Milford the rules were so far suspended that third readings of bills be by their titles

only, and that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 374, An Act relating to assistance to municipalities by tax commission in appraising taxable property.

House Bill No. 489, An Act relative to registration and re-registration of partnerships.

House Bill No. 505, An Act to repeal charters of certain corporations.

House Bill No. 515, An Act relative to transfer of liquor licenses and beverage permits to clubs in certain cases.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 89, An Act relative to purchases by the director of purchase and property.

Senate Bill No. 90, An Act relative to emergency purchases by the division of purchase and property.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

### Qualified

Mr. James W. Campion from Hanover, having qualified before his Excellency the Governor, appeared and took his seat as a member of the House.

On motion of Mrs. Webb of Dover at 3:58 o'clock the House adjourned.

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TUESDAY, JUNE 14, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Paul Martin, Pastor of the Congregational Church, Exeter.

Eternal God, Who alone givest wisdom and understanding, once again we would pause reverently before Thee, and humbly ask for Thy help and guidance.

Help us to see, and with grateful hearts, the beauty of Thy world, fresh and splendid in the loveliness of Springtime. Thou hast given us a rich land, and a goodly heritage. Help us to use it wisely and well.

On this Flag Day, we would remember our country and the great thing for which that loved emblem stands — freedom to worship Thee, and to think, to speak, to assemble without let or hindrance. We commend our country to Thy merciful care and judgment.

Now to these, Thy servants, assembled in this hall, grant a high sense of the trust committed to them, to form such laws as may be for the common good of the people of this State, and to the advancement of Thy glory. May they be forthright and honest in all their endeavors that the life of our people may be guided by wise policies and just laws; through Jesus Christ our Lord. Amen.

### Salute to the Flag

Senator Washburn of District No. 4 led the convention in the salute to the flag.

### Remarks of Miss Bailey of Newport

Pursuant to a resolution adopted Thursday, June 9, the following remarks of Miss Bailey of Newport, given at the OWLs' dinner, June 8, and herewith printed.

This is the long anticipated occasion when every year the Legislature is in session — the Owls have the pleasure of entertaining their colleagues in the House and Senate — when we forget for a moment the problems of the session and enjoy a social evening together. We appreciate your attendance here this evening — fully realizing except for your gracious presence here the pleasure of the evening could not be realized. Thank you so much for coming.

Obviously, the theme for any occasion when Legislators meet should be New Hampshire. In view of the fact we are this month having a special celebration of the 150th anniversary commemorating the discovery of that Profile, we have chosen as our theme "The Great Stone Face" — or, as many affectionately refer to it, "The Old Man of the Mountains." It is a far cry and a long way from the glacial age that scientists proclaim left New Hampshire's famed trademark to the year

of 1805, and from the horse and buggy days of that era to the age of such rapid transportation as to have nearly obliterated time and distance — even to this awesome age of atomic and hydrogen energy.

Far be it from me to engage in argument with the geological scientists concerning this phenomena because I would have no grounds for argument — I would prefer to borrow two lines from that famous poem “Each in His Own Tongue” by Carruth, and say:

“Some call it Evolution  
While others call it God.”

Later this month New Hampshire will be honored by a visit from President Eisenhower, who will join New Hampshire citizens in paying homage to our Great Stone Face. The fact remains, however, that during these 150 years the *great* and the *lowly* from all walks of life — yes — literally millions of people — have gazed on that majestic face and individually have felt his blessing and his inspiration so forcefully that even Browning would have difficulty in adequate word expression. This Great Stone Face has, over the years, been an inspiration for song writers, artists, authors and poets. Perhaps the best known tale is Hawthorne’s Story of the Great Stone Face — at least it more nearly parallels the coming of President Eisenhower. It is the story of a boy named Ernest, born and reared within sight of the Great Stone Face. From his mother’s lips he learned the prophecy that one day a great prophet would come to the area bearing the likeness of the Great Profile, and Ernest hoped that one day he would look upon such a personage. Ernest grew to manhood and to old age, living a sober life as tiller of the soil and in service to his neighbors, and as spiritual adviser to all around this countryside. Great events periodically presented themselves and famed personages visited the area, but alas! never did one of them bear the likeness of the face he had so long worshipped. The final famed visitor was a Poet of great repute, who, having heard of Ernest came to visit him. He found Ernest reading a volume of his poems and as the conversation advanced — Ernest had told the Poet of his many disappointments, but felt a man who could write such poetry might well bear the desired likeness to the Great Stone Face — it was then the Poet divulged his identity, but in nowise did he

measure up to the qualifications. The evening wore on, and Ernest's neighbors assembled at a spot in view of the Great Profile, where from the depths of his convictions and experiences Ernest preached to them. So impressed was the Poet with such words of wisdom that his eyes became misty with tears — he looked at Ernest — then to the Profile, and spontaneously cried out — "Oh, it is Ernest himself who bears the likeness of the Great Stone Face" — and suddenly the whole assemblage of people were in accord with the Poet's discovery. The prophecy had been fulfilled — his neighbors had paid him the highest tribute within their power to bestow. Ernest and the Poet walked toward home, with Ernest in a spirit of humble gratitude, but still hoping that some day a wiser and better man would one day appear bearing a finer resemblance to the Great Stone Face.

Undoubtedly all of us, as we have gazed at this unique Profile so high upon the cliff, have been moved to high ideals and noble aspirations. I have gazed upon it in the dewy freshness of the morning — in the noon day sun — in the shadows of the evening — in mists and in rain. In whatever light — the Great Profile ever seemed stern, yet friendly, austere, yet majestic, awesome, yet real, because one must believe that which the eye beholdeth. Despite any atmospheric differences — two very important factors always remained unchanged — *poise* and *serenity*. Perhaps these two factors have supplied the true depth of inspiration over the years as each generation has coped with the problems of their day, because *poise* lies in a sense of proportion, and *serenity* emerges from life's experiences. In such an atmosphere one couldn't help being imbued with three very important R's, namely, *reverence*, *respect*, *responsibility*.

*Reverence* for God who gave New Hampshire so much natural beauty for the enjoyment of her citizens and for the re-creation of countless millions of tourists who each year visit our state for recreation and relaxation, and who find health, happiness and serenity from our God-given natural resources. New Hampshire has so much for which to be humbly grateful.

*Respect* for New Hampshire's great — for her history and for the heritage we have received from the past. For New Hampshire has a famed history of firsts. In 1776, New Hamp-



shire became the first of the original thirteen colonies to form a government entirely independent of England, and was the first colony to adopt a state constitution. The first Navy Yard of the new nation was set up in Portsmouth in 1794 or thereabouts. New Hampshire was the *ninth* state to ratify the Constitution of the United States in 1788. The importance of this vote was the fact it completed the two-thirds majority that was needed to adopt the Constitution of the United States. New Hampshire takes pride in the early beginnings of its cultural heritage. In 1647, the establishment of public schools was made compulsory, and many of the first free libraries were founded in New Hampshire in the early eighteen hundreds, and on down through the years New Hampshire has never faltered in her obligations to her country and to her citizens.

*Responsibility* to pass on to the future citizens that heritage — unimpaired — yes, even more glowing than we have received it.

It is safe to assume that we as Legislators are to a greater or lesser degree leaders in our respective communities. The three R's which I have so briefly mentioned may well be our guide today — as they were yesterday — and will be tomorrow even.

Remembering the words accredited to one of New Hampshire's great — Daniel Webster — and I quote "*Men put out representing their different trades — jewelers hang out a monstrous watch — shoemakers a huge boot — and up in Franconia God Almighty has hung a sign that in New Hampshire he makes men.*"

Finally, if those majestic lips of the Great Stone Face were to speak to us today — what would they say — they might well say to us that there are but *five ends* for love and life, namely: *Truth, Goodness, Beauty, Use and Joy.* They might also add — all I want is more mutual aid — more kindness — and a social order built on recognition of human needs and urge that your words and deeds be on the side of constructive expression and creative action. They might well point out to you that good government is but the lengthening shadow of good citizenship — and the quality of your citizenship is your opportunity and your responsibility.

Only last Sunday, Chief Justice Earl Warren, speaking to the graduating class at Mount Holyoke, said "*The key to all progress is citizenship.*"

### Leaves of Absence

Mr. Frazer of Monroe was granted leave of absence for the day on account of illness in the family.

Messrs. Poore of Goffstown and Mulaire of Hooksett were granted leaves of absence for the day on account of important business.

Messrs. Saunders of Nashua and Shattuck of Danville were granted leaves of absence for the day on account of illness.

### Introduction of Bills

The following bill and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Committee on Rules (Mr. Faulkner of Keene), House Bill No. 538, An Act relating to the Union School District of Keene. To the Special Committee consisting of the Delegation from the city of Keene.

By Committee on Rules (Mr. Billings of Westmoreland), House Joint Resolution No. 57, Joint Resolution in favor of the estate of Edward C. Sweeney, Sr. To the Committee on Appropriations.

### Third Reading

On motion of Mr. Pillsbury of Manchester, the rules were suspended to dispense with the printing and reference to Committee of House Joint Resolution No. 57, the joint resolution put upon its third reading and final passage, by caption only, at the present time.

House Joint Resolution No. 57, Joint Resolution in favor of the estate of Edward C. Sweeney, Sr., was read a third time and passed and sent to the Senate for concurrence.

### Committee Reports

Mr. Davis of Hopkinton, for the Committee on Appropriations, to whom was referred House Bill No. 322, An Act to change allocation of funds from inspections in the department of agriculture, having considered the same, reported the same

with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act to change the allocation of funds from inspections in the department of agriculture; relative to license fees for milk distributors; relative to fees for licenses for pharmacies and pharmacists, and relative to transfer of certain funds collected under the economics poison law.

Amend said bill by inserting after section 1 the following new sections:

2. *Milk Control.* Amend section 8 of chapter 196 of the Revised Laws (section 9, chapter 183 RSA) by striking out said section and inserting in place thereof the following: 8. *Licenses; Fees.* All distributors in any market designated by said board shall be licensed by said board. The annual fee for such license shall be two dollars for distributors selling more than two quarts and not more than twenty quarts daily average, four dollars for distributors selling more than twenty quarts and not more than fifty quarts, daily, seven dollars and fifty cents for distributors selling more than fifty quarts and not more than one hundred quarts daily, eleven dollars for distributors selling more than one hundred quarts and not more than two hundred quarts daily, and for each additional one hundred quarts or fraction thereof daily sold by a distributor there shall be an additional license fee of five dollars and fifty cents. In determining the foregoing fees sales made by a distributor to the public over the counter, not for consumption on the premises, shall not be included in determining the number of quarts sold daily. Such over-the-counter distributor shall pay an annual fee for such license of two dollars. The board may, upon proper evidence, decline to grant and may, after due notice and public hearing, suspend or revoke, a license. Violation by a distributor of the provisions hereof or any rule or regulation made hereunder, or conviction of violating the health laws or regulations of the state board of health, shall be sufficient cause to suspend, revoke or withhold such distributor's license. Any distributor who fails to take out a license hereunder shall be subject to the penalties provided for in section 14 hereof.

3. *Increase in Fees.* Amend section 26 of chapter 256 of the Revised Laws, as amended by section 2, chapter 280, Laws of 1949 and section 1, chapter 155, Laws of 1953 (section 25, chapter 318 RSA) by striking out said section and inserting in place thereof the following: 26. *Re-registration.* Every registered pharmacist and holder of reciprocity certificate who desires to continue the business of apothecary and druggist shall re-register, annually as of January first and shall pay a fee of four dollars. When making application for such re-registration the applicant shall give his place of residence and employment, whether as proprietor or employee, and any change of location or employment shall be reported to the secretary of the board within fifteen days.

4. *Pharmacies.* Amend section 39 of chapter 256 of the Revised Laws (section 38, chapter 318 RSA) by striking out the word "five" and inserting in place thereof the word, seven, so that said section as amended shall read as follows: 39. *Permit; Fee.* The board shall upon application issue a permit to maintain a store for the sale at retail of drugs and medicines to such persons, firms, or corporations as they may deem to be qualified to conduct such a store, such permit to be known as a retail drug store permit, for the compounding of medicines upon physicians' prescriptions and for the manufacture, sale, and distribution of drugs, medicines, and poisons, such place of business to be under the direct supervision of a registered pharmacist. The fee for such permit shall be seven dollars. The holder of a retail drug store permit may keep his store open at all hours for the sale of drugs and medicines. The permit shall expire on January first following the date of issue.

5. *Economics Poisons Law.* Notwithstanding the provisions of section 5, chapter 227, Revised Laws (section 6, chapter 438 RSA) relative to disposition of fees for administration of said chapter, the sum of six thousand dollars now in the special fund provided for by said section shall be transferred to the general funds.

Further amend said bill by striking out section 2, renumbering the same and inserting in place thereof the following:

6. *Takes Effect.* The provisions of sections 3 and 4 of this act shall take effect as of January 1, 1956. The remaining section of this act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

### Personal Privilege

Mr. Sherwin of Rindge rose on a point of personal privilege.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 406, An Act providing one open season throughout the state for taking wild deer, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out the title and inserting in place thereof the following: An Act relative to porcupines.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Damage to Crops by Porcupines.* Amend section 2, chapter 180 of the Revised Laws as inserted by chapter 203 of the Laws of 1945 and as amended by section 1, chapter 283, Laws of 1949 and chapter 149, Laws of 1953 (section 2, chapter 470, RSA) by striking out said section and inserting in place thereof the following: 2. *Porcupines.* If a person suffers substantial damage to annual crops, fruit trees, or farm lands by porcupines, and will notify the director of fish and game in writing, the director or his agent after investigating said damage shall take the necessary steps to eliminate or control such porcupines.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Brown of Strafford, for the Committee on Judiciary, to whom was referred House Joint Resolution No. 43, Joint Resolution relative to interim committee to study senatorial districts, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the title of said resolution by striking out the same and inserting in place thereof the following:

Joint Resolution relative to a study for the re-districting of senatorial districts.



Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the legislative council shall study the problem of the senatorial districts in order to re-district the same in accordance with the constitution and shall report its findings to the 1957 General Court.

The undersigned, a Minority of the Committee on Judiciary, to whom was referred House Joint Resolution No. 43, Joint Resolution relative to interim committee to study senatorial districts, having considered the same, and being unable to agree with the majority, reported the same with the recommendation that the joint resolution ought to pass.

HILDA C. F. BRUNGOT,  
*A Minority of the Committee.*

The report was accepted.

Mr. Kelley of Littleton moved that the report of the minority be substituted for that of the majority.

The question being on the motion.

(Discussion ensued)

Messrs. Kelley of Littleton and Pickett of Keene spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Kelley of Littleton offered the following amendment:

Amend said resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the governor with the advice and consent of the council shall appoint a special committee of five members, two from the membership of the senate and three from the membership of the house of representatives who shall study the problem of the senatorial districts in order to re-district the same in accordance with the constitution. The tax commission is hereby directed to obtain for this committee the adjusted valuation of property in the various wards in the cities of Manchester, Nashua, Concord and Portsmouth. The committee shall use the latest valuation available and shall take into consideration any new values that would change in the immediate future. Said committee shall prepare legislation for re-districting the senatorial and shall submit the same to the 1957 legislature. Said committee shall serve without

compensation but shall be reimbursed for their actual expenses incurred in performance of their duties hereunder and shall be paid at the rate of eight cents per mile for travel. The expenses and mileage of the special committee hereunder and the expenses of the tax commission in obtaining information shall be a charge on the general funds and the governor is authorized to draw his warrant for the same out of any money in the treasury not otherwise appropriated.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill referred to the Committee on Appropriations, under the rules.

Mr. Wadleigh of Milford, for the Committee on Judiciary, to whom was referred House Bill No. 535, An Act relative to jurisdiction of the United States over land within New Hampshire, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Angus of Claremont, for the Committee on Labor, to whom was referred House Joint Resolution No. 17, Joint resolution relating to teachers' retirement system study, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That a committee of six persons consisting of the governor or his representative, the president of the senate or his representative, the speaker of the house or his representative, one member appointed by the New Hampshire state education association, one member appointed by the trustees of the teachers' retirement system of the state of New Hampshire and one member appointed by the New Hampshire school boards association, is hereby authorized and directed forthwith to commence a study to ascertain the benefits and advantages, if any, that may accrue to the state and to the members of the teachers' retirement system, and the cost of the same, as a result of the amendment to title II of the Federal Social Security Act by Public Law 761, 83rd Congress, whereby members of the state teachers' retirement system may be

eligible for OASI although in positions covered by a retirement system; together with the methods of securing such benefits and advantages best adapted to this state and the members of said system. In the making of such study, authority is hereby granted to engage the services of a competent actuary. The sum of five thousand dollars is hereby appropriated for the study as directed, or as much thereof as may be necessary, such sum to be expended upon the order of the committee; and the governor is hereby authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted, and the bill referred to the Committee on Appropriations under the rules.

Mr. Chase of Dover, for the Committee on Military and Veterans' Affairs, to whom was referred House Bill No. 379, An Act relative to service exemption for veterans, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Veterans Taxation.* Amend section 29 of chapter 73 of the Revised Laws (chapter 72, RSA) as amended by chapter 174, Laws of 1943, chapter 4, Laws of 1944, chapter 240, Laws of 1947, section 1, chapter 167, Laws of 1949 and by section 1, chapter 132, Laws of 1951, by striking out the words "taxable property as assessed by the selectmen, to the value of one thousand dollars, provided such person and spouse do not own taxable property in this state, exclusive of bona fide encumbrances of record thereon, to the value of more than five thousand dollars" in the fourteenth, fifteenth, sixteenth, seventeenth and eighteenth lines thereof and inserting in place thereof the words, homestead, real estate owned and occupied by such person or spouse, to the value of one thousand dollars, provided the value of such homestead real estate in this state as assessed by the selectmen does not exclusive of bona fide encumbrances of record thereon exceed five thousand dollars; further amend said section by striking out the words "the cessation of hostilities" in the thirty-sixth line and inserting in place thereof the word and figures, July

27, 1953, so that said section as amended shall read as follows:

29. *Service Exemption.* Every resident of this state who served not less than ninety days in the armed forces of the United States in any of the following wars or armed conflicts, the Spanish War, Philippine Insurrection, Boxer Rebellion, World War I, World War II, or Korean Conflict, as hereinafter defined who have been discharged or separated therefrom under conditions other than dishonorable or the spouse of such resident, or the widow of such resident, and every resident, or the spouse of such resident, whose services were terminated for a service-connected disability, and the widow of any resident who suffered a service-connected death, in consideration of such service, shall be exempt each year from taxation upon his or her homestead real estate owned and occupied by such person or spouse, to the value of one thousand dollars, provided the value of such homestead real estate in this state as assessed by the selectmen does not exclusive of bona fide encumbrances of record thereon, exceed five thousand dollars. The following terms as used in this section shall be construed as follows:

(1) "Spanish War" between April 21, 1898 and April 11, 1899.

(2) "Philippine Insurrection" between April 12, 1899 and July 4, 1902 extended to July 15, 1903 for service in the Moro Provinces.

(3) "Boxer Rebellion" between June 16, 1900 and May 12, 1901.

(4) "World War I" between April 6, 1917 and November 11, 1918 extended to April 1, 1920 for service in Russia, provided that reenlistment in military or naval service on or after November 12, 1918 and before July 2, 1921 where there was prior service between April 6, 1917 and November 11, 1918 shall be considered as World War I service.

(5) "World War II" between December 7, 1941 and December 31, 1946.

(6) "Korean Conflict" between June 25, 1950 and July 27, 1953.

2. *Fractional Interest.* Amend section 29-a of chapter 73 of the Revised Laws as inserted by chapter 240 of the Laws of 1947 (chapter 72, RSA) by striking out the words

“taxable property” in the second line thereof and inserting in place thereof the words, real estate occupied by them as their principal residence, so that said section as amended shall read as follows: 29-a. *Proration of Exemption*. If any entitled person or persons shall own a fractional interest in real estate occupied by them as their principal residence each such entitled person shall be granted exemption in proportion to his interest therein with other persons so entitled, but in no case shall the total exemption exceed one thousand dollars except as provided in section 29-b.

3. *Limitations*. Amend section 29-b of chapter 73 of the Revised Laws as inserted by chapter 240 of the Laws of 1947 (chapter 72, RSA) by striking out the words, “taxable property” in the third line and in the fourth line and inserting in place thereof the words, said homestead real estate, so that said section as amended shall read as follows: 29-b. *Husband and Wife*. A husband and wife, each qualified for exemption, shall be entitled to an exemption of two thousand dollars on their said homestead real estate provided they do not together own said homestead real estate in this state exclusive of bona fide encumbrances of record thereon to the value of more than five thousand dollars.

4. *Residence*. Amend section 29-g of chapter 73 of the Revised Laws as inserted by chapter 240 of the Laws of 1947 (chapter 72, RSA) by striking out said section and inserting in place thereof the following: 29-g. *Definition*. The word “resident” as used in section 29 shall mean a person who has resided in this state for at least six months preceding April 1, in the year in which exemption is claimed. In case the said homestead real estate of a person eligible for tax exemption hereunder shall be situate in more than one town, he shall take his exemption first in the town wherein he claims legal residence. If he does not own the exemption limit in value of said homestead real estate in the town wherein he claims legal residence he shall be entitled to take the balance of the exemption applicable to said homestead real estate in any other adjoining town or towns in which the remainder of his said homestead real estate is situated.

5. *Takes Effect*. This act shall take effect April 1, 1956. The report was accepted.



Mr. Chase of Dover moved that reading of the amendment be dispensed with.

The amendment was laid upon the table to be printed under Rule No. 48.

Mrs. Davis of Concord, for the Committee on Transportation, to whom was referred Senate Bill No. 58, An Act to provide for the regulation of the business of drivers' schools, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend paragraph VII of section 3 of chapter 119-A as inserted by section 1 of the bill by inserting after the word "person" in the third line the words, and subject to said amount for one person; and by striking out the words, "any number of persons" in the fourth line and inserting in place thereof the words, more than one person, so that said paragraph as amended shall read as follows:

VII. The application is not accompanied by a copy of a standard liability insurance policy in the amount of ten thousand dollars for personal injury to, or death of, any one person and subject to said amount for one person twenty thousand dollars for personal injury to, or death of, more than one person involved in any one accident, and five thousand dollars for property damage in any one accident, suffered, or caused by reason of negligence of the applicant or any agent or employee of the applicant, approved as to form and coverage by the commissioner, and issued by a company duly licensed to transact business in this state under the insurance laws of this state.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mrs. Davis of Concord, for the Committee on Transportation, to whom was referred Senate Bill No. 85, An Act relative to temporary use of special military registrations and plates, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out the word "three" in the ninth line and inserting in place thereof the word, seven, so that said section as amended shall read as follows:

1. *Motor Vehicles: Registration.* Amend chapter 116 of the Revised Laws (chapter 260, RSA) by inserting after section 9 thereof the following new section: 9-a. *Exemption of Motor Vehicles Owned by Military Personnel.* The provisions of this chapter relative to the registration of motor vehicles and motor cycles and the display of number plates shall not apply to motor vehicles or motor cycles having registrations and displaying plates issued by the armed forces of the United States for vehicles owned by military personnel, but such exemption shall be valid only for a period of seven days after the owner thereof has entered this state for the purpose of traveling to either his place of residence or to a point of military duty.

FINLAY P. SLEEPER,

*For the Committee.*

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Angus of Claremont, to whom was referred House Bill No. 314, An Act to provide for the installation of windshields and tops on track motor cars operated by railroads, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Ashley of Lebanon, for the Committee on Ways and Means, to whom was referred House Bill No. 43, An Act relative to forest conservation, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted.

Mr. Lessels of Concord moved that the words "ought to pass" be substituted for the resolution of the committee, inexpedient to legislate.

The question being on the motion.

(Discussion ensued)

Mr. Lessels of Concord spoke in favor of the motion.

Mr. Young of Pittsfield spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

**Taken from the Table Under Rule No. 48**

House Bill No. 136, An Act relative to school building aid.

The question being on the amendment, as printed in the Journal of June 8.

Mr. Vaughan of Newport explained the amendment.

(Discussion ensued)

Messrs. Lamprey of Moultonborough, Pickett of Keene, and Angus of Claremont, and Mrs. DeLude of Unity spoke in favor of the amendment.

Mr. Spaulding of Hudson spoke against the amendment.

On a *viva voce* vote the amendment was adopted and the bill referred to the Committee on Appropriations, under the rules.

**Vote Recorded**

Mr. Spaulding of Hudson rose to request that he be recorded as voting "no" on the amendment to House Bill No. 136, An Act relative to school building aid.

**Special Order**

Mr. Pillsbury of Manchester called for the Special Order for 11:01 o'clock, it being the committee reports for House Bills No. 337, 361 and 204.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 337, An Act increasing the membership of the fish and game commission, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of the bill by adding at the end thereof the words, and relating to the term of the fish and game director, so that said title as amended shall read as follows:

An Act increasing the membership of the fish and game commission and relating to the term of the fish and game director.

Amend the bill by inserting after section 4 a new section as follows: 5. Amend section 8 of chapter 240 of the Re-

vised Laws as amended by section 13, Part 24 of chapter 5 of the Laws of 1950 (section 8, chapter 206, RSA) by striking out after the word "state" in the fifth and sixth lines the words "He shall serve for an indefinite term, at the pleasure of the commission" and inserting in place thereof the words, He shall hold office for a term of five years, and shall continue in office until his successor is appointed and qualified, so that said section as amended shall read as follows:

8. *How Chosen; Duties.* The fish and game commission shall appoint a director of the fish and game department who shall be a man with knowledge of, and experience in, the requirements for the protection, conservation, and restoration of the wild life resources of the state. He shall hold office for a term of five years, and shall continue in office until his successor is appointed and qualified. He shall not hold any other public office, and shall devote his entire time to the service of the state in the discharge of his official duties. He shall receive such compensation as the commission may determine, and shall be reimbursed for all actual and necessary travelling and other expenses incurred by him in the discharge of his official duties. Before entering upon the duties of his office, he shall take the oath prescribed by the constitution, and shall, in addition thereto, swear that he holds no other public office, nor any position under any political committee or party. Such oath shall be filed with the secretary of state. He shall have general supervision and control of all activities, functions and employees of the fish and game department, and shall enforce all the provisions of the laws of this state relating to fish, wild animals, and birds, and shall exercise all necessary powers incident thereto.

Amend section 5 of the bill by striking out the words and figure "as of June 28" and inserting in place thereof the word and figure, July 1, so that said section as amended shall read as follows:

5. *Takes Effect.* This act shall take effect July 1, 1955.

Further amend the bill by renumbering section 5 to read section 6.

The report was accepted.

Reading of the amendment having commenced, on motion of Mr. Converse of Pittsburg further reading was dispensed with.

The question being on the amendment.

(Discussion ensued)

Mr. Converse of Pittsburg spoke in favor of the amendment.

(Mr. Faulkner of Keene in Chair)

Mr. Brown of Loudon moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Mr. Brown of Loudon spoke in favor of the motion.

(Speaker in Chair)

Messrs. Larty of Haverhill and Willey of Campton spoke in favor of the motion.

Messrs. Burnham of Alstead, Bisbee of Derry, Clement of Landaff, Fortier of Berlin, and Pickett of Keene, and Mrs. Brungot of Berlin spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

Mr. Brown of Loudon called for a division, but subsequently withdrew his demand.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

### Third Reading

Mr. Pickett of Keene moved that the rules be suspended to permit the third reading and final passage, by title only, of House Bill No. 337, An Act increasing the membership of the fish and game commission and relating to the term of the fish and game director.

On a *viva voce* vote the motion prevailed.

House Bill No. 337, An Act increasing the membership of the fish and game commission and relating to the term of the fish and game director, was read a third time and passed, and sent to the Senate for concurrence.

### Reconsideration

Mr. Pickett of Keene moved that the House reconsider its vote whereby it passed House Hill No. 337, An Act increasing



the membership of the fish and game commission and relating to the term of the fish and game director.

On a *viva voce* vote the motion did not prevail.

Mrs. Holmes of Amherst, for the Committee on Judiciary, to whom was referred House Bill No. 361, An Act relative to taxes in unincorporated places, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *School Money.* Amend section 15 of chapter 140 of the Revised Laws (section 16, chapter 198, RSA) by striking out the same and inserting in place thereof the following: 15. *Unorganized Places.* The tax commission shall annually assess a tax of five dollars on each thousand dollars of the value of the ratable estates as last determined by said commission for the purpose of making the last apportionment of public taxes taxable in the unincorporated or unorganized places in the state and in the towns where by act of the legislature the school districts have been abolished and the education of the children made the responsibility of the state to be used for the education of such children. The unexpended proceeds of this tax shall not lapse or be used for any purpose other than as set forth above, but shall constitute a continuing fund available for said education of such children from year to year.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

#### **Taken from the Table Under Rule No. 48**

House Bill No. 204, An Act providing for the development of Concord Lake project.

The question being on the amendment, offered by the member from Concord, Mr. Jewett, as found in the Journal of June 8.

(Discussion ensued)

Messrs. Maxham of Concord and Hart of Laconia spoke in favor of the amendment.

Mr. Cilley of Concord spoke against the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

### Report of Committee on Engrossed Bills

Mrs. Hayden of Ossipee and Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House and Senate bills:

House Bill No. 47, An Act relative to investigation of subversive activities.

House Bill No. 449, An Act relative to insertion of names of certain veterans and certain servicemen on the check-lists.

House Bill No. 473, An Act relative to erection of so-called historical signs.

Senate Bill No. 89, An Act relative to purchases by the director of purchase and property.

Senate Bill No. 90, An Act relative to emergency purchases by the division of purchase and property.

House Bill No. 296, An Act establishing a board of fire commissioners for the city of Laconia.

House Bill No. 140, An Act relating to the New Hampshire Veterans' Association.

House Bill No. 217, An Act relative to prior service credits for state officials and employees.

House Bill No. 355, An Act relating to the assessment of the expenses of the public utilities commission against certain public utilities.

House Bill No. 466, An Act relating to transportation of school children and operators of school buses.

House Bill No. 516, An Act relative to powers and duties of the town of Littleton and repealing the charter of the Littleton Village District.

The report was accepted.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 195 (In New Draft), An Act to provide for the giving of security by owners and operators of aircraft involved in accidents and to provide for administration thereof, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend (3), (4), (5) and (6) of subsection (a) of section 5 of chapter 306-A as inserted by section 1 of said bill by in-

serting after the word "thousand" wherever it occurs in said subparagraphs the words, dollars.

Amend subsection (c) of section 6 of chapter 306-A as inserted by section 1 of said bill by striking out "paragraph 8" in the third line and inserting in place thereof the figure, (8).

Amend subsection (b) of section 10 of chapter 306-A as inserted by section 1 of said bill by striking out "paragraph 8" in the fifth line and inserting in place thereof the figure, (8).

On motion of Mr. Carr of Orford the House voted to adopt the amendments proposed by the Committee on Engrossed Bills.

The bill was sent to the Senate for concurrence.

### Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that the Senate had voted to adopt the following concurrent resolution and the Senate asks the concurrence of the House of Representatives:

*Resolved, that Whereas*, today Tuesday, June 14, is Flag Day and is the 179th Anniversary of the creation of our glorious flag, and

*Whereas*, the birth of our beloved Stars and Stripes comes this year at a time when the United States of America is engaged in a cold war that threatens the continuance of our principles of freedom and democracy, it is most appropriate that we vigorously reaffirm our continued and everlasting belief in those ideals and institutions for which our great banner stands, and for what it has stood and fought for in years past, therefore be it

*Resolved*, that when the Senate and House of Representatives adjourn today, it be in commemoration of Flag Day, June 14, 1955.

On motion of Mr. Sherwin of Rindge the House concurred in the adoption of the concurrent resolution sent down from the Honorable Senate.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of

which amendments the Senate asks the concurrence of the House of Representatives:

Senate Bill No. 30, An Act relative to regulations as to boating on certain ponds in Pillsbury state park and Bear Brook state park.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to regulations as to boating on certain ponds in Pillsbury state park and Bear Brook state park.

Amend section 1 of said bill by striking out the first line and inserting in place thereof the following:

1. *Ponds and Certain State Parks.* Amend chapter 234 of the Revised Laws (chapter 219 RSA) by

On motion of Mr. Rogers of Laconia the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 408, An Act relating to duties of support and to make uniform the law with reference thereto.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *Uniform Duties of Support.* Amend the Revised Laws by inserting after chapter 420-A, as inserted by chapter 191, Laws of 1953 (chapter 546 RSA) the following new chapter:

#### Chapter 420-B

On motion of Mr. Nelson of Concord the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurs with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 285, An Act relative to the construction of a new library building and the remodelling of the present library building for instructional purposes at the University of New Hampshire.

Amend section 7 of the bill by striking out the same and inserting in place thereof the following: 7. *Takes Effect.* This act shall take effect on April 1, 1956.

On motion of Mr. Angus of Claremont the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 295, An Act relative to re-examination of holders of licenses to operate motor vehicles.

Amend said bill by striking out section 1 and inserting in place thereof the following:

1. *Motor Vehicles, Licenses.* Amend chapter 117 of the Revised Laws, (chapter 261, RSA) by inserting after section 2-a thereof the following new section: 3. *Examination as to Qualifications.* Whenever, after a motor vehicle accident, information is presented to the commissioner, or whenever information is supplied to the commissioner by a citizen of the state, which information leads the commissioner to believe that reasonable doubt exists as to the qualifications of any individual to hold a license to operate motor vehicles, the commissioner may order such individual to present a written statement from a reputable physician, not the personal or family physician of the individual, stating the opinion of the physician as to any physical deficiency or deficiencies of the individual examined as the same may bear upon his fitness to operate a motor vehicle. Such examination shall be made at the expense of the Motor Vehicle Department. No license to operate motor vehicles shall be issued or re-issued, nor shall any such license be continued in effect, with respect to any individual who fails to present to the commissioner a written statement as provided above, or with respect to any individual who, in the written statement provided for above, fails to satisfy the commissioner that such individual is fit to operate motor vehicles.

On motion of Mr. Rainie of Concord the House non-concurred in the adoption of the amendments sent down from



the Honorable Senate, and asks that a Committee of Conference be appointed.

The Speaker appointed as members of such committee on the part of the House, Messrs. Rainie of Concord, Hadley of Hillsborough and Eastman of Weare.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on the following entitled bills:

Senate Bill No. 11, An Act relative to education of children placed in homes for children.

House Bill No. 140, An Act relating to the New Hampshire Veterans' Association, having considered the same, reported the same with the following recommendation:

House Bill No. 475, An Act relative to salaries of various Belknap county officials.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 217, An Act relative to prior service credits for state officials and employees.

House Bill No. 296, An Act establishing a board of fire commissioners for the city of Laconia.

House Bill No. 398, An Act relative to civil defense.

House Bill No. 516, An Act relative to powers and duties of the town of Littleton and repealing the charter of the Littleton Village District.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 92, An Act relative to authority of towns to enter into collective bargaining contracts with labor unions.

### **Senate Bill Read and Referred**

Senate Bill No. 92, An Act relative to authority of towns to enter into collective bargaining contracts with labor unions.

Read a first and second time, and referred to the Committee on Labor.

### Resolutions

Mr. Bloomfield of Claremont offered the following resolution:

*Whereas*, Alfred J. Marcotte, Representative from Claremont is ill in the hospital, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature, extend our sympathy to our fellow member in his illness and our best wishes for a speedy recovery, and be it further

*Resolved*, that a copy of these resolutions be transmitted to Representative Marcotte by the Clerk.

On a *viva voce* vote the resolution was adopted.

Mrs. Dondero of Portsmouth offered the following resolution:

*Whereas*, Mrs. Mary Long, sister of Thomas E. McCaffery, Representative from New Castle, has passed away, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire General Court, hereby express our sympathy to our fellow member in his bereavement, and be it further

*Resolved*, that the Clerk of the House transmit a copy of these resolutions to Representative McCaffery.

On a *viva voce* vote the resolution was adopted.

Mr. Eldredge of Exeter offered the following resolution:

*Whereas*, the frigate H. M. S. Veryan Bay, under the command of L. R. P. Lawford, will visit Portsmouth, New Hampshire on the evening of June 24th to the morning of July 1, 1955, and

*Whereas*, in the interest of international good-will it would be appropriate to receive a message from Commander Lawford, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire Legislature hereby extend to Commander Lawford a cordial invitation to address that body at a date convenient to him, and be it further

*Resolved*, that the Speaker of the House of Representatives extend this invitation and that the Clerk of the House transmit a copy of these resolutions to Commander Lawford.

On a *viva voce* vote the resolution was adopted.

### Personal Privilege

Messrs. Comi of Concord and Pickett of Keene rose on a point of personal privilege.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 204, An Act providing for the development of Concord Lake project.

House Bill No. 314, An Act to provide for the installation of windshields and tops on track motor cars operated by railroads.

House Bill No. 322, An Act to change allocation of funds from inspections in the department of agriculture, relative to license fees for milk distribution, relative to fees for licenses for pharmacies and pharmacists, and relative to transfer of certain funds collected under the economics poison law.

House Bill No. 361, An Act relative to taxes in unincorporated places.

House Bill No. 406, An Act relative to porcupine.

House Bill No. 535, An Act relative to jurisdiction of the United States over land within New Hampshire.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 58, An Act to provide for the regulation of the business of drivers' schools.

Senate Bill No. 85, An Act relative to temporary use of special military registrations and plates.

Severally read a third time and passed, and sent to the Senate for concurrence in the amendment.

On motion of Miss Collyer of Lisbon at 2:04 o'clock the House adjourned.

WEDNESDAY, JUNE 15, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, our Heavenly Father, who alone dost guide and govern the minds and hearts of men, make us deeply conscious of Thy presence in our midst as we enter into the work of this day. In our decisions that we are called upon to make remove from us all narrowness and prejudice of thought. May the members of this General Court be such men and women as the times demand — those of strong minds, great hearts, true faith and undying courage. Impress us, O God, with the importance and the seriousness of the decisions we are called upon to make, and aid us to seek Thy guidance in making those decisions. Direct us therefore, gracious Lord, that we may never lay our convictions on the altar of compromise with the trembling hand of fear, but in all our actions be true to Thee, our State, and to ourselves. Through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mrs. Martin of Littleton led the convention in the salute to the flag.

### Introduction of Guests

The Speaker introduced Mr. Edward D. Eddy, Jr., Vice President and Provost of the University of New Hampshire, and Dr. Eldon L. Johnson, currently serving as Dean of the College of Liberal Arts and Dean of the Graduate School at the University of Oregon, who will become President of the University of New Hampshire on August 1, who addressed the House as follows:

To you, Mr. Speaker — and to all of you — I am deeply grateful for this high privilege of meeting with the men and women who make the laws of this great commonwealth. As one trained in what I am afraid the colleges unscientifically call "political science," as one who has spent a lifetime in the public service of education, and as one who has been active in public affairs in my city and my state, I have come to have not only a wholesome respect but a genuine admiration for those men and women who have the task of appraising public needs and devising public satisfactions. This is what a Greek philosopher called the noblest activity of man.

I, therefore, feel doubly honored on this occasion because I am mindful that I appear before you as the President-elect of your state university. No one could so appear without mingled pride and humility — pride in the confidence reposed in him and humility before the responsibilities. I can think of few more chastening responsibilities than those over the lives and minds of young men and women, many to become the future leaders of your state.

It is a source of amusement to our teen-age daughters that our family seems to move only in the broadest possible sweeps — across the American continent. We moved 10 years ago from the eastern seaboard 3000 miles to the Pacific Northwest; now we are moving 3200 miles to New England — and it is not hard for me to tell why we are pleased to reverse our steps on the historic Oregon Trail, coming here as so many New Hampshiremen and others from New England went to Oregon a century ago. First, I am devoted to public education — public education as one of the means of securing that degree of trained intelligence which modern society so desperately requires. If we consider the imperative need for trained intelligence for modern agriculture, for modern industry and commerce, for either the successful maintenance of peace or the successful fighting of war — yes, even for citizenship in an atomic age — if we consider these needs for the development of all the intellectual resources at our command, we appreciate the role of publicly supported higher education. And our appreciation is deepened when we reflect on the fact that for every youth in college, another youth, equally capable of profiting from a college education, is not doing so. The publicly supported state university, alongside the privately supported college, is our necessary means of capitalizing on these priceless human resources, by which alone we can achieve greatness.

In the second place, I am pleased that New Hampshire has a single, combined university and land grant college — one state, one institution. Besides the avoidance of conflicts and duplications which arise with separated institutions, it has been my experience that agriculture, forestry, home economics, engineering and technology have so many *opportunities* for service to the state and so many *traditions* of service to the state that none of the university, whatever part it may be, can live in ignorance of its public responsibilities and in neglect of



its public services. By the same token, the other parts of such a combined university — the liberal arts: the humanities, and the social and natural sciences — have so many traditions of scholarship and detached reflection that none of the university, whatever part it may be, can live without prizing excellence of teaching, without fostering research to advance knowledge, and without cherishing freedom of thought and rationality of action. This is the kind of balance which makes a great university and the kind of university which befits a great state. I am pleased at the prospect of being a part of both.

Finally, candor compels me to confess that New England itself as a place of charm and cultural advantages is a great attraction, as all this is also a great asset to the university. A university takes on the color of its own region, puts roots down in its native soil, and takes inspiration from its cultural heritage and its physical surroundings. Where are conditions more auspicious? I am impressed by the granite foundations, the green hills, the great tradition, and the indomitable people.

With these, the future holds bright prospects. And these prospects, I am sure, will be turned to equally bright realities by the common endeavors of the legislative and educational representatives of the people of New Hampshire. To these ends I pledge myself. To these it will be an honor and a high privilege to work with you.

### Leaves of Absence

Mr. Shattuck of Danville was granted leave of absence for the week on account of illness.

Messrs. Cornelius of Lancaster and Anderson of Concord were granted leave of absence for Wednesday and Thursday on account of important business.

Messrs. Gay of New London, Eldredge of Exeter and Pinkham of Northwood were granted leave of absence for the day on account of important business.

### Committee Reports

Mr. Gardner of Littleton, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 80, An Act relative to removal of public officials and employees, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mrs. Griffin of Auburn, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 84, An Act authorizing towns to form unions for the purpose of employing a town manager, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Eastman of Weare, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 103, An Act concerning Wolfeboro village fire precinct, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hadley of Hillsborough, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 525, An Act empowering the public utilities commission to bargain with the New York Power Authority, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the word "commission" in the ninth line the words, with the consent of the governor and council, so that said section as amended shall read as follows:

1. *Public Utilities Commission.* The public utilities commission is hereby designated as the agency of the state to bargain with the Power Authority of the State of New York for the procurement of power capacity and power output from said power authority, with the right to contract for the purchase of such power, and resale of such power on a non-profit basis to the electric distribution companies, co-operative, municipal and privately-owned without preference or discrimination for distribution within the state. The public utilities commission with the consent of the governor and council is authorized and empowered to enter into contracts

for the transmission of such power from the place of purchase to a point, or points, within the State of New Hampshire.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Healy of Manchester, for the Committee on Judiciary, to whom was referred House Bill No. 422, An Act to provide for the observance of certain legal holidays, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Faulkner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 424, An Act creating an industrial development authority, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act providing for fixing a date for the determination of stockholders of record or the closing of stock transfer books.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Business Corporations*. Amend chapter 274 of the Revised Laws (chapter 294, RSA) by inserting after section 84 the following new section: 84-a. *Fixing a Record Date or Closing Books*. By-laws of a corporation heretofore or hereafter incorporated under the laws of the state may provide or be amended to provide that the board of directors may have authority:

I. To fix in advance a date not exceeding sixty days prior to the date of (1) any meeting of stockholders (2) the payment of any dividend (3) the making of any distribution to stockholders (4) the last day upon which the consent or dissent of stockholders may be effectively expressed for any purpose or (5) delivery of evidences of rights or interests arising out of any issue, change, conversion or exchange or capital stock, as a record date for the determination of the stockholders entitled (a) to notice of and to vote at any meet-

ing and any adjournment thereof (b) to receive any dividend (c) to receive any distribution to stockholders (d) to consent or dissent for any purpose or (e) to receive delivery of evidences of rights or interests arising out of any issue, change, conversion or exchange of capital stock, and in such case only stockholders of record on such record date shall have such rights notwithstanding any transfer of stock upon the books of the corporation after the record date; or

II. Without fixing such record date and for any of such purposes to close the stock transfer books of the corporation for all or any part of such period.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, and the amendment laid upon the table to be printed under Rule 48.

Mr. Bennett of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 485, An Act relative to evidence of value for determination of taxation of railroads and public utilities, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Malley of Somersworth, for the Committee on Appropriations, to whom was referred House Bill No. 513, An Act relative to fees for inspections and sealing of weighing and measuring devices, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 2 of the bill by striking out the word "July" and inserting in place thereof the word, August, so that said section as amended shall read as follows:

2. *Takes Effect.* This act shall take effect August 1, 1955.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the

amendments offered by the Committee on Engrossed Bills, to the following House bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 335, An Act to change the fees for the licenses and permits of practical nurses.

Amend section 1 of said bill by inserting after the figure "1951" in the second line the following: (sections 21, 26, 27 and 28, chapter 326, RSA).

On motion of Mr. Pillsbury of Manchester the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 396, An Act relative to the use of flashing red lights or red beacons on motor vehicles.

Amend section 1 of said bill by inserting after the words "Revised Laws" in the second line the following: (section 40, chapter 263, RSA).

On motion of Mr. Brown of Loudon the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 398, An Act relative to civil defense.

Amend section 2 of said bill by inserting after the figure "1953" the following: (section 10, chapter 107, RSA).

Amend section 3 of said bill by inserting after the figure "1953" the following: (section 17, chapter 107, RSA).

Amend section 4 of said bill by inserting after the figure "1953" the following: (section 19, chapter 107, RSA).

On motion of Mrs. Brungot of Berlin the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 475, An Act relative to salaries of various county officials of Belknap, Cheshire, Coos, Grafton, Hillsborough, Merrimack and Strafford counties.



Amend section 1 of said bill by inserting after "RSA" the following, and as amended by section 1, chapter 172, Laws of 1955. Further amend said section by striking out the words "Coos, eighteen hundred" and inserting in place thereof the words, Coos, two thousand.

Amend section 3 of said bill by inserting after "RSA" the following, and as amended by section 2, chapter 172, Laws of 1955. Further amend said section by striking out the words, "Coos, four" and inserting in place thereof the words, Coos, five.

Amend section 5 of said bill by striking out the same and inserting in place thereof the following:

5. *Takes Effect.* The foregoing provisions of sections 1 and 3 which provide for an increase in the salaries of the sheriff and treasurer of the county of Coos shall take effect as of January 1, 1956. The remaining provisions of this act shall take effect as of January 1, 1955.

On motion of Mrs. Mahoney of Concord the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 81, An Act relative to penalties for certain motor vehicle violations.

Amend Section 2 of the bill by striking out the word "one" in line 10 and inserting in place thereof the word "two." Further amend the section by striking out the word "shall" in line 10 and inserting in place thereof the word "may," so that said section shall read as follows:

Sec. 2. *Revocation of Licenses.* Amend Section 16 of Chapter 118 of the Revised Laws (Section 19, chapter 262, RSA) by striking out the same and inserting in place thereof the following: 16. *Intoxication.* Any person who shall be convicted of operating, or attempting to operate, a motor vehicle upon any way while under the influence of intoxicating

liquor, or any narcotic or habit-producing drug, shall be imprisoned for not more than six months or shall be fined not more than five hundred dollars, or both; his license shall be revoked for a period of sixty days and at the discretion of the court for a period not to exceed two years. Upon a second conviction he may be imprisoned for not less than one month nor more than six months, and fined not less than one hundred dollars nor more than five hundred dollars; his license shall be revoked and he shall be ineligible for a license for the next three calendar years.

On motion of Mr. Craig of Manchester the House non-concurred in the adoption of the amendments sent down from the Honorable Senate, and a Committee of Conference was appointed.

The Speaker appointed as members of such committee on the part of the House, Messrs. Craig of Manchester, Faulkner of Keene and Colbath of Concord.

House Bill No. 495, An Act relative to fees for counsel assigned by court in certain cases.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

Section 1. *Assignment of Counsel.* Amend section 3 of chapter 428 of the Revised Laws (section 3, chapter 604, RSA) by striking out the words "not exceeding one hundred and fifty dollars in all at any one trial" and inserting in place thereof the words "not to exceed \$500.00 and reasonable expenses" so that said section as amended shall read as follows:

3. *Counsel Fees.* Counsel so assigned by the court shall receive reasonable compensation for their services not to exceed five hundred dollars and reasonable expenses which shall be allowed by the court and paid by the county.

On motion of Mr. Skinner of Alton the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

### Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it concurred in the amendments

to House Bill No. 475, sent down from the Honorable Senate.  
On a *viva voce* vote the motion to reconsider prevailed.

Mr. Pillsbury of Manchester moved that the House non-concur in the amendment as sent down from the Honorable Senate to House Bill No. 475, and asked that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House, Messrs. Wadleigh of Milford, Danforth of Manchester and Belcourt of Nashua.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 66, An Act creating an industrial development authority.

Senate Bill No. 110, An Act relative to voting by armed services absentees.

### Senate Bills Read and Referred

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

By Senator McMeekin of District No. 3, Senate Bill No. 110, An Act relative to voting by armed services absentees. To the Committee on Military and Veterans' Affairs.

By Senator Cleveland of District No. 7 and Senator Adams of District No. 22, Senate Bill No. 66, An Act creating an industrial development authority. To the Joint Committees on Appropriations and Resources, Recreation and Development.

### Report of Committee on Engrossed Bills

Mrs. Hayden of Ossipee, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate and House bills:

Senate Bill No. 30, An Act relative to regulations as to boating on certain ponds in Pillsbury state park and Bear Brook state park.

House Bill No. 408, An Act relating to duties of support and to make uniform the law with reference thereto.

The report was accepted.

### Resolutions

Mr. Stone of Claremont offered the following resolution:

*Whereas*, Alfred J. Marcotte, Representative from Claremont for several sessions, has passed away, and

*Whereas*, he was a member of Claremont's first City Council serving for a number of years, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire General Court pay tribute to his services to his city and state, and express our sympathy to his family in its bereavement, and be it further

*Resolved*, that the Clerk of the House send flowers for his funeral and a copy of these resolutions to Mrs. Marcotte.

On a rising vote the resolution was unanimously adopted.

### Concurrent Resolution

Mr. Angus of Claremont offered the following concurrent resolution:

*Resolved by the House of Representatives, the Senate concurring*, that the House of Representatives and the Honorable Senate meet in Joint Convention Thursday, June 23, for the purpose of listening to an address by Dwight D. Eisenhower, President of the United States.

On a *viva voce* vote the concurrent resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Bill No. 485, An Act relative to evidence of value for determination of taxation of railroads and public utilities.

House Bill No. 513, An Act relative to fees for inspections and sealing of weighing and measuring devices.

House Bill No. 525, An Act empowering the public utilities commission to bargain with the New York Power Authority.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 103, An Act concerning Wolfeboro Village Fire Precinct.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Fontaine of Berlin at 11:55 o'clock the House adjourned.

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THURSDAY, JUNE 16, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

"The Lord is my defense, and my God is the rock of my refuge." At this time when the necessity of civil defense is so forcibly brought before the people of this land, and when in some parts of our country we simulate an enemy attack upon our government and our freedom, we beseech Thee O God, to assist us to deeply sense the seriousness of a world situation that makes all this necessary. Help us, individually, and collectively, to do our part to build a wall of defense around our cherished heritage of freedom, and everything that has contributed to make our country great among all the countries of the world. And in building that wall of defense, may we pray in the words of the poet:

"Lord of nations, thus to Thee  
Our country we commend;  
Be Thou her refuge and her trust,  
Her everlasting friend." Amen.

### Salute to the Flag

Mr. Bardol of Wilton led the convention in the salute to the flag.

### Guest

The Speaker introduced Governor G. Mennen Williams of Michigan as follows:

Michigan is famous for many things — its iron mines, its automobiles, its ocean-like lakes, the home of John Bunyon, and now the birthplace of the man whose name is advertising shaving cream all over the United States.



As a young man, your invited guest came east from Michigan to study at Princeton University where, falling under the spell of the eastern philosophers he was duly elected president of the Young Republican Club at this institution.

Upon his return to Michigan after graduation, he entered the Michigan State Law School where his political philosophies were overturned and he became an ardent disciple of the New Deal philosophy.

Another significant change that came in the life of this young man occurred on the evening he met Nancy Quirk of Ypsilanti — a meeting that resulted in the union of these two young people.

It is difficult to believe that our guest took his wife to Washington for a honeymoon, but it is a known fact that he spent a few years in Washington during this period of his life working for the Justice Department. Upon the completion of his tour of duty he returned to Michigan to actively engage in politics, a period of activity which has been interrupted only by an honorable service in the armed forces of the United States.

After accommodating his time to Uncle Sam's, he returned to his home state and the record since then shows that he has been elected governor four times of what was heretofore known as a Republican state — a most amazing success.

His affiliations with, and his support from the labor unions, have been not only advantageous to his success but also have been advantageous to strengthening the power of the labor unions, although at times he appears to have been somewhat mulish in these dealings. Unions have reason to believe that their alliance with him has been, and will continue to be, a fruitful one.

All indications point to his name becoming even more widespread nationally than has been the case in the past and I don't mean in the form of promotional advertising for a toilet article.

It is a pleasure to introduce to you this morning Governor G. Mennen Williams of Michigan.

## ADDRESS BY

THE HONORABLE G. MENNEN WILLIAMS

*Governor of Michigan*

It is a great pleasure to be here with you in your beautiful capital city, and to observe the workings of one of the oldest free governments in our Western Hemisphere.

And it is a privilege, indeed, to have this opportunity, as chief executive of a sister state, to speak to the General Court of New Hampshire.

This legislative body, I am informed, is the largest of any in the 48 states, representing virtually every town and community in the commonwealth. I am further informed that in both your chambers there is a considerable majority of members holding a political faith which is not mine.

Nevertheless, I feel right at home. It is no new thing for me to stand before a Legislature which has a Republican majority. That is the case, also, in Michigan. On each occasion when I delivered a message to our joint session, I have been literally surrounded by Republicans. But our Legislature has only 144 members, and until I came here today I was never surrounded by so *many* Republicans. And I might add that I have never been treated with greater friendship and good will than I have experienced here in Concord, from both Republicans and Democrats. Permit me to thank you all for the privilege and the honor of addressing you.

There are many things I might say to you today, many thoughts that occur to me as I visit this great commonwealth, which was a center of freedom and culture when Cadillac was landing on the swampy river bank which is now the city of Detroit.

But I would like to address myself briefly to a subject in which I think we have a common interest — a subject having to do with the rights and duties of state governments in our federal system in recent years and the alleged encroachment of the Federal authority upon the prerogatives of the sovereign states.

I have always felt, with my good friend Adlai Stevenson, that we wouldn't have so much trouble over state's rights if we didn't have a record of so many state's wrongs.

The record shows that the Federal Government has moved in where state governments have failed to act. The states, for

example, pioneered the systems of insurance against industrial accident and illness. And this field remains the prerogative of the states. The state governments failed to move toward unemployment insurance, and popular demand forced a high degree of federal intervention to establish job insurance programs.

The best way to put the brakes on the expansion of the federal authority is for the states themselves to do the things their people want done — and to do them before the people turn to Washington to get them done. Washington's alleged encroachments usually result from Lansing or Concord's failures.

Because I believe in our federal system, because I believe in keeping government close to the people, and because I believe in state sovereignty, I do not like to miss an opportunity to discuss this matter with others who are zealous to preserve the same things.

There is one great field of public services which has historically been, and still remains the responsibility of state and local government. That is the field of public education. Although education is still a state job, it is undeniable that the states, for one reason or another, have failed to expand their educational systems along with the growth of populations.

The result is that we face a national crisis in education. In a few years, unless something is done, the assumption that every American child is entitled to an education will no longer hold true in practice. There simply will not be enough classrooms or teachers to go around.

We are fast approaching the point where state's wrongs cause the loss of state's rights. Already we've reached such a condition of emergency that appeal has been made for federal assistance. The states are still enough in control of the situation that the type of help contemplated can be federal assistance without federal domination. But if the states don't rally to the cause of education more understandingly and vigorously than they have so far, our citizens will go to Congress hat in hand. In such extremities the states may well lose their birth-right of locally controlled education. The time is already late.

We in America have always believed that education is the key to freedom and opportunity. In New Hampshire, as in the

other New England states, the founding fathers built schools as soon as they built churches and governments, knowing that all were necessary cornerstones for building liberty and progress.

In Michigan, as in the other states of the Northwest Territory, this tradition was equally strong. The Northwest Ordinance, Michigan's original charter, contained this declaration:

"Religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged." During the ensuing years, this principle has become firmly integrated into our whole way of life. On it much of the structure that we call America has been built.

Today, as we face the tremendous issues involved in world conflict and world understanding, the urgency of education becomes more apparent than ever before.

As our nation expands and our population grows, as our economic, political, and social structure becomes ever more complex, the need for education becomes broader and deeper.

We are going to need highly trained people in ever-increasing numbers. We have been warned repeatedly that Soviet Russia is training more engineers, more scientists, more skilled young people, than we are. In the Kiplinger Magazine for July, 1954, nearly a year ago, the Chief Recruiter or Personnel for General Electric pointed out that American industry needed at least 40,000 scientists and engineers. In 1954 our universities graduated only 17,000 trained young people — about one-half the need. And that was last year. In 1955 the prospects are little better.

Nor is it only in the engineering and scientific fields that shortages of personnel are beginning to show. There are many figures I could cite, but all of them show one thing — that we need educated, technically trained, professionally skilled young men and women, in far greater numbers than we are producing them.

But there is more to our educational problem than simply the need, great as it is, for trained people to fill jobs. The average American citizen of tomorrow must have information of kinds and varieties far beyond those his father and grandfather needed, and he must have access to information far beyond what you and I have. The old-timers wrestled with issues

essentially domestic in character — greater issues to be sure but issues comparatively easy to understand because they lay in fields of common experience.

How different it is today, when the issues on which the citizen must take action involve wholly new and strange relationships with peoples of other lands, races, and cultures! How much more must tomorrow's American know of economics, world history, foreign cultures, complexities of diplomacy and politics, if he is to decide and act wisely!

With these and other great problems facing education today, how do we stand?

The answer is brief and pointed. We must not only have *more* schools but *better* schools, if the citizens of tomorrow are to be prepared for tomorrow's responsibilities.

We have as of this moment a tremendous shortage of classroom space. There are simply not enough buildings in which our young people may go to school. As the President pointed out in his message to Congress, there is at present a shortage of 300,000 classrooms in American primary and secondary schools. There is a similar shortage, though not yet so urgent, in our institutions of higher education. And in addition to needed replacements, there is also the necessity of building 50,000 new classrooms every year simply to keep up with our growing population.

Furthermore, we do not have enough teachers. The nation's schools need 160,000 more teachers right now. By 1960 we'll need 500,000 — one half million — more. The same situation will exist soon in our colleges and universities; it is estimated that by 1970 they will have to be doubled in size.

What can we do to solve these gigantic problems or at least to begin to find a solution?

It is my belief that our school crisis can be met through the efforts of the states, with federal assistance without federal encroachment.

Our own two states have shown the way to make a start. Here in New Hampshire, I am told, you have pledged the state's faith and credit to the bonds of the schools. That is a good and necessary use of the public credit, inasmuch as the education of our youth is, or ought to be, one of the most important functions of government.

In Michigan, we have devised a similar program. By con-



stitutional amendment, which was overwhelmingly adopted by the people in April, we have established a state fund of a hundred million dollars to assist school districts which are unable to obtain financing on the basis of their own resources.

This fund will be borrowed by the state and loaned, in turn, to the schools, to be repaid by them — so that in the long run there will be no cost to the state treasury.

These measures constitute a good start. But there are many other things we must do if the state governments are to fulfill their responsibilities toward tomorrow's children. The nationwide shortage of teachers must be met by establishing better standards for the teaching profession. In Michigan the average yearly teachers' salary is \$3,500 a year, while the average factory-worker earns \$4,600 a year.

I am urging that the state, as a condition of the aid it gives to local schools, require a minimum salary of \$4,000 a year for teachers with college degrees, and \$3,000 for non-degree teachers. Retirement plans must be improved, and the intolerable burden created by classes which are too large must be eased for the teacher.

Our public institutions of higher education must be expanded to meet what will undoubtedly be a tremendously increased demand. Our calculations indicate that college enrollments in Michigan will increase by 100 per cent by 1970. In conferences with the presidents of Michigan's state colleges and the two state universities, we arrived at a minimum cost of necessary expansion — one hundred and fifty million dollars, over a period of six years. This cost is tremendous, and not everyone in Michigan by any means has accepted its necessity. But that is the price we shall have to pay if we want to continue offering the youth of America an educational opportunity at least equal to what our fathers prepared for us.

And while I am on this subject of higher education, let me say that it is not only the public colleges and universities which require expansion. Some way must be found to encourage the expansion of the privately endowed, independent and church-connected schools without which our educational system would not be truly American. While education must be a primary responsibility of the state, it cannot be a monopoly of the state, or great and precious values will be lost. American education has made America great not by establishing a dead

level of educational standards, but by encouraging a diversity of education, unified by a common devotion to the principles of democracy.

In this connection I believe the federal government might well recognize the sacrifices which must be made by parents and students alike, to provide America with the brains she needs for tomorrow's world. There should be legislation permitting the costs of education, which run into many hundreds of dollars, to be deducted from Federal income tax. Certainly this is a form of family expenditure which is necessary to the common good, and ought not to be subject to a tax. Such a tax deduction opens no conceivable door to federal domination of the schools.

There is also another way in which the federal government can substantially assist in solving the problems of education without invading State's Rights. At the 1953 Governor's Conference, it was pointed out that the Federal estate tax, imposed on inheritances in 1926, originally provided for a division of about twenty per cent to the federal government and eighty per cent to the states. Congress, however, later enacted supplemental laws of taxation that have nearly reversed these percentages. There is no doubt of the need for legislation to prevent some states from becoming tax-free havens for inheritances, but this traditionally state form of revenue should be returned to the states. It certainly would be a fair start to give fifty per cent to the federal government and fifty per cent to the states. The state's added share could be earmarked for additional education.

These are some of the thoughts which occur to me as I consider this great challenge to the sovereign states of this Union. With good will, and with a realization of the crucial importance of this problem, we shall, with God's help, solve this problem.

### Resolution

Mr. Casey of Manchester offered the following resolution:

*Whereas*, this Legislature and our state has been honored by the visit from G. Mennen Williams, Governor of the state of Michigan; and

*Whereas*, the majority of this Legislature is Republican, and whereas Governor Williams is a Democrat, and

*Whereas*, his speech to us demonstrates the amity in personalities that exists between our two great parties, while they disagree on programs, policies and issues, now therefore be it

*Resolved*, that we hereby offer our appreciation to Governor G. Mennen Williams for his message and express to him our best wishes for a long and happy life.

On a rising vote the resolution was adopted.

On motion of Senator McMeekin of District No. 3, the convention rose.

## House

### Leaves of Absence

Mr. Tobey of Hampton was granted an indefinite leave of absence on account of important business.

Messrs. Billings of Westmoreland and Faulkner of Keene and Mrs. Frizzell of Charleston were granted leaves of absence for the day on account of important business.

### Introduction of Bills

The following bills and joint resolution were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Committee on Rules (Mr. Willey of Campton), House Bill No. 539, An Act relative to the definition of registered mail. To the Committee on Executive Departments and Administration.

On motion of Mr. Rainie of Concord the rules were suspended to dispense with the printing and reference to committee of House Bill No. 539, An Act relative to the definition of registered mail, and the bill put upon its third reading and final passage, by title only, at the present time.

House Bill No. 539, An Act relative to the definition of registered mail, was read a third time and passed, and sent to the Senate for concurrence.

By Committee on Rules (Mr. Rainie of Concord), House Joint Resolution No. 58, Joint Resolution in favor of the estate of Alfred J. Marcotte. To the Committee on Appropriations.

On motion of Mr. Scamman of Stratham the rules were suspended to dispense with the printing and reference to

committee of House Joint Resolution No. 58, Joint Resolution in favor of the estate of Alfred J. Marcotte, and the joint resolution put upon its third reading and final passage, by caption only, at the present time.

House Joint Resolution No. 58, Joint Resolution in favor of the estate of Alfred J. Marcotte, was read a third time and passed, and sent to the Senate for concurrence.

By the Committee on Rules (Mrs. St. Pierre of Rochester), House Joint Resolution No. 59, Joint Resolution in favor of Fernand J. Gaudreau. To the Committee on Appropriations.

### Committee Reports

Mr. Ecker of Manchester, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 93, An Act legalizing certain action at the Plainfield school district meeting, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Chase of Dover moved that the rules be suspended so as to dispense with the public hearing on Senate Bill No. 110, An Act relative to voting by armed services absentees, and that the bill be put upon its third reading and final passage, by title only, at the present time.

The question being on the motion.

(Discussion ensued)

Mr. Chase of Dover spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Senate Bill No. 110, An Act relative to voting by armed services absentees, was read a third time and passed, and sent to the Secretary of State to be engrossed.

Mr. Gardner of Littleton, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 101, An Act legalizing the biennial election held in the town of Ellsworth, November 2, 1954, and legalizing the Bridgewater Special School District meeting of May 1, 1955, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Lavoie of Manchester, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 467, An Act relative to certain so-called comic books, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following: 1. *Sale Prohibited.* Amend chapter 441 of the Revised Laws (chapter 571, RSA) by inserting after section 17 the following new section to read as follows: 17-a. *Comic Books.* No person shall sell, distribute or have in his possession or control with intent to sell or distribute any magazine or comic book, so-called, the contents of which is devoted to or principally made up of pictures and accounts of acts of crime, illicit sex, horror, terror, physical torture, brutality or physical violence. Provided, however, that nothing contained in this section shall be deemed to restrict the circulation of magazines published for the advancement of art, medicine, science, education and literature. If any person shall violate any provision of this section he shall be fined as provided in section 17.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Jones of Lebanon, for the Committee on Judiciary, to whom was referred House Joint Resolution No. 34, Joint Resolution to provide for an investigation of the laws relating to tax exemption of real estate and personal property and to ascertain the total value of property in New Hampshire so exempted, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend said resolution by striking out all after the caption and inserting in place thereof the following:

*Resolved by the Senate and House of Representatives in General Court convened:*

That a thorough and impartial investigation be made of the whole subject of tax exemption in New Hampshire inas-



much as from information now available it appears that the total value of ordinarily taxable property now exempt from taxation by virtue of the tax exemption laws is in excess of one hundred million dollars although such information is not compiled, tabulated, analyzed and coordinated;

That a joint committee to consist of seven members of the House of Representatives be appointed by the speaker and five members of the Senate be appointed by the president of the Senate to study, investigate and examine into the matter of tax exempt property of every kind in the state, with particular reference to the existing laws governing and granting such exemptions; said committee to have full power and authority to require from the several departments, boards and commissions of the state government such information and assistance as may be available for the purposes of the committee, and, further, while the members of said committee shall serve without pay, the sum of not more than one thousand dollars shall be made available from funds not otherwise appropriated, for clerical assistance and to pay the actual and necessary expenses incurred by the committee in securing such information as may be required and in preparing a report of its findings and recommendations to the Legislature of 1957.

The report was accepted, the amendment adopted, and the joint resolution referred to the Committee on Appropriations, under the rules.

Mr. Wadleigh of Milford, for the Committee on Judiciary, to whom was referred House Bill No. 63, An Act to prevent malicious delay of fire alarms, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act relative to use of telephone party lines for fire alarms or other emergency calls.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Telephone Lines.* Amend chapter 442 of the Revised Laws by inserting after section 29 (section 381, chapter 572,

RSA) the following new section: 29-a. *Emergency Use of Party Line.* Whoever shall wilfully refuse to yield the use of a telephone party line for giving of a fire alarm or emergency call for police, medical aid or ambulance service, or shall wilfully represent falsely that the use of a telephone party line is needed to give a fire alarm or emergency call shall be fined not more than fifty dollars.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mrs. Holmes of Amherst spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred Senate Bill No. 73, An Act providing for liens on house trailers, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Dana of Laconia, for the Special Committee consisting of the members from the city of Laconia, to whom was referred Senate Bill No. 68, An Act relative to the salaries of the board of public works of Laconia, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the salaries of the board of public works and the justice of the municipal court of the city of Laconia.

Amend section 1 of said bill by striking out the word "three" in the third line and inserting in place thereof the word, two, so that said section as amended shall read as follows:

1. *City of Laconia; Board of Public Works.* The annual salary of each member of the board of public works of the city of Laconia shall be two hundred dollars.

Amend said bill by inserting after section 2 the following new section:

3. *Municipal Court Justice.* Amend paragraph I of section 31 of chapter 377 of the Revised Laws, as amended by chapter 232 of the Laws of 1947, chapters 73, 213 and 251, Laws of 1953 (section 7, chapter 502, RSA) and as further amended by an act relative to the salary of the justice of municipal court of Portsmouth by striking out the words "In Laconia, one thousand eight hundred dollars" and inserting in place thereof the words, In Laconia, two thousand three hundred dollars, so that said paragraph as amended shall read as follows:

1. *Salaries of Justices.* Salaries of justices of municipal courts shall be paid from the treasury of the city or town in which such courts are located, may be paid quarterly or monthly, and shall be in the following sums per annum:

In Manchester, four thousand six hundred dollars;

In Nashua, three thousand dollars;

In Concord, three thousand five hundred dollars;

In Portsmouth, two thousand five hundred dollars;

In Dover, one thousand eight hundred dollars;

In Laconia, two thousand three hundred dollars;

In Keene, one thousand eight hundred dollars;

In Claremont, one thousand eight hundred dollars;

In Berlin, twenty-two hundred dollars;

In Rochester, one thousand two hundred dollars;

In Lebanon, one thousand five hundred dollars;

In Newport, nine hundred dollars;

In Derry, nine hundred dollars;

In Franklin, one thousand two hundred dollars;

In Exeter, eight hundred dollars;

In Somersworth, eight hundred dollars;

In Littleton, eight hundred dollars;

In Milford, six hundred dollars;

Further amend said bill by renumbering section 3 to read section 4.

Reading of the amendment having commenced, on motion of Mr. Dana of Laconia further reading of the amendment was dispensed with.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

**Taken from the Table Under Rule No. 48**

House Bill No. 379, An Act relative to service exemption for veterans.

The question being on the motion to dispense with the reading of the amendment as printed in the Journal of June 14.

On a *viva voce* vote the motion prevailed.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Chase of Dover spoke in favor of the amendment.

Mr. Lavoie of Manchester moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs Lavoie of Manchester and Brown of Loudon spoke in favor of the motion.

Messrs. Plumer of Bristol, Skinner of Alton, Brown of Marlow, Bloomfield of Claremont, and Mrs. Dondero of Portsmouth spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Brown of Loudon demanded the yeas and nays, but subsequently withdrew his demand.

Mr. Farwell of Brookline demanded the yeas and nays, and the roll was called with the following result:

**Yeas — 22**

HILLSBOROUGH COUNTY: Farwell, Abbott, Healy of Manchester, Ward 5, Walsh, Slowey, Craig, Lavoie, Morris, Bergeron, Dion of Manchester, Gauthier, Lesmerises, Gamache, Brosnahan, Bouthillier, Dumais.

CHESHIRE COUNTY: None.

SULLIVAN COUNTY: None.

GRAFTON COUNTY: None.

COOS COUNTY: Russell, Bouchard.

ROCKINGHAM COUNTY: None.

STRAFFORD COUNTY: Carignan, Lacasse.

BELKNAP COUNTY: None.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Baron, Brown of Loudon.

### Nays — 277

HILLSBOROUGH COUNTY: Robinson of Antrim, Wiggin, Black, Herrick, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Fortin, Hadley, Goodwin, Lang of Manchester, Pettigrew, Soucy of Manchester, Ward 1, Danforth, Geisel, Mahony of Manchester, Pillsbury of Manchester, Robb, Dwyer, Hayes, Sullivan, Fitzgerald, Nolan, Betley, Callahan, Clancy, Ecker, Healy of Manchester, Ward 6, Corey, Tessier, Cary, Auger, Schricker, Lareau, Martel, Soucy of Manchester, Ward 12, Lafond, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Buckley, Cummings, Peterson, Ramsdell, Boire, Belcourt, Trombley, Ayers of Nashua, Maynard, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Langelier, Locke, Rice, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Burnham, Pike, Smith of Hinsdale, Perry, Spofford, Haley, Kirk, McCullough, Wheeler, Bennett, Brown of Keene, Coddington, Carlton, Brown of Marlow, Sherwin, Terrill, Lane, Lang of Troy, Ballam, Rhodes, Ingham, Thompson.

SULLIVAN COUNTY: Bascom, Angus, Bloomfield, Bissonett, Firestone, Millar, Davis of Cornish, Nelson of Goshen, Reney, Bailey, Vaughan of Newport, Pierce, Gamsby, DeLude.

GRAFTON COUNTY: Ramsey, Pryor, Chamberlin of Bath, Plumer, Willey, Clarke of Canaan, Sanborn, Campion, Bradley, Hayward, Holden, Larty, Chamberlain of Holderness, Adams, Ashley, Cole, Jones of Lebanon, Townsend, Collyer, Gardner of Littleton, Kelley, Martin, Talbot, Bell, Huckins, Sawyer.

COOS COUNTY: Dussault, Fortier, Roy, Sheridan, Fontaine, Gagnon, Rines, Alls, Hurlbert, Ross, Ferguson, Simonds, Potter, Bushey, Converse, Baker, Stinson, Taylor.



ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Persson, Shattuck, Fogg, Barka, Clarke of Derry, Nickerson of East Kingston, Blair, Eastman of Exeter, Merrill, Rathbone, Jones of Fremont, Spollett, Hunter, Thurlow, Battles, Parmenter, McCaffery, Labranche, Sewall, Cheney, Carter, Palmer, Barrett, Dondero, Hundley, Payette, Sadler, Murch, Quirk, Travis, Joyce, Wardwell, Munz, Ingraham, Haigh, Willis (Anna), Willis (Howard), Pillsbury of Sandown, Felch, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Karkavelas, Desjardines, Connell, Pearson, Funkhouser, Littlehale, Nute, Chadbourn, Wentworth, Evans, Rolfe, Dustin, St. Pierre, Studley, Clement of Rochester, Estes, Green, Maloomian, Letourneau, Cormier, Malley, Brown of Strafford.

BELKNAP COUNTY: Skinner, McAllister, Robertson, Hart, Rogers, Morin, Simoneau, Tilton, Ballentine, Karagianis, Burbank, O'Shan, Dana, Miner, Smith of Meredith, Urie, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Benson, Downs, Roberts, Stokes, Nickerson of Madison, Lamprey, Hayden, Remick, Hodgdon, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Phelps, Ellsworth, Vaughn of Bow, Vogel, Dowd, Ferrin, Davis of Concord, Shea of Concord, Lessels, Jewett, Rainie, Cilley, Maxham, Walker, Mahoney of Concord, Nutter, Broadhurst, Burke, Kenney, Charland, Dempsey, Carpenter, Mason, DuDevoir, Mulaire, Davis of Hopkinton, Milligan, Gay of New London, Ayer of Pittsfield, Young, Lovejoy, Bigelow, Bean, Workman.

And the motion to indefinitely postpone did not prevail.  
The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Connell of Dover offered the following amendment:

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Fractional Interest; Exception.* Amend section 29-a of chapter 73 of the Revised Laws as inserted by chapter 240 of the Laws of 1947 (section 30, chapter 72, RSA) by striking out said section and inserting in place thereof the following:  
29-a. *Proration of Exemption.* If any entitled person or

persons shall own a fractional interest in real estate occupied by them as their principal residence each such entitled person shall be granted exemption in proportion to his interest therein with other persons so entitled, but in no case shall the total exemption exceed one thousand dollars except as provided in section 29-b. Provided further that if any entitled person shall be sixty-five years of age or over he shall be granted an exemption each year from taxation upon any real estate owned and occupied by such person or spouse whether or not said real estate is his homestead to the value of one thousand dollars provided the value of such real estate in this state as assessed by the selectmen does not exclusive of bona fide encumbrances of record thereon exceed five thousand dollars.

The question being on the amendment.

Mr. Connell of Dover spoke in favor of the amendment.

On a *viva voce* vote the amendment was not adopted, and the bill was ordered to a third reading.

### Recalled from Committee

Mrs. Studley of Rochester moved that Senate Bill No. 75, An Act establishing a police commission for the city of Rochester, be recalled from the Special Committee consisting of the Delegation from the City of Rochester and that action be taken on the bill at the present time.

The question being on the motion.

(Discussion ensued)

Mrs. Studley and Mr. Clement of Rochester spoke in favor of the motion.

Messrs. Nadeau and Carignan of Rochester spoke against the motion.

On a *viva voce* vote the motion prevailed.

Mr. Carignan of Rochester called for a division.

A division being had, 206 members having voted in the affirmative and 30 members having voted in the negative, the motion prevailed.

Mr. Nadeau of Rochester rose to question the presence of a constitutional quorum.

The Speaker immediately asked for a count of the House, and 278 members having been counted, declared a constitutional quorum to be present.

Mr. Clement of Rochester offered the following amendment:

Amend section 5 of said bill by striking out said section and inserting in place thereof the following:

5. *Rules.* The board of police commissioners shall have full power to make all rules and regulations for the government of the police force and to enforce said rules. Provided, that rules and regulations shall not be adopted by said commissioners which would require new applications or examinations of members of the police force employed at the date this act takes effect.

Further amend said bill by striking out section 9 and by striking out section 10 and inserting in place thereof the following:

9. *Takes Effect.* This act shall take effect upon its passage.

The question being on the amendment.

Mr. Clement of Rochester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

Mrs. St. Pierre of Rochester moved that the bill as amended ought to pass.

Mr. Nadeau of Rochester offered the following amendment:

Amend section 9 by striking out said section and inserting in place thereof the following: 9. *Referendum.* This act shall not take effect unless it is adopted by a majority of the voters present and voting at the next regular municipal election to be held in the City of Rochester on December 6, 1955. The city clerk shall cause to appear upon the regular ballot the following question: "Shall the provisions of an act relative to establishing a police commission for the city of Rochester, approved at the 1955 session of the legislature be adopted?" Beneath the question shall be printed the word "Yes" and the word "No" with a square immediately opposite each word, and the voter may indicate his choice by making a cross in the appropriate square. If a majority of the voters present and voting at said election shall vote "Yes" upon this question this act shall thereby be declared to have been adopted.

The question being on the amendment.

(Discussion ensued)

Mr. Nadeau of Rochester spoke in favor of the amendment.

Mr. Clement of Rochester spoke against the amendment.

Mr. Dion of Manchester moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Mr. Nadeau of Rochester spoke in favor of the motion.

Mrs. Studley of Rochester spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the amendment offered by Mr. Nadeau of Rochester.

On a *viva voce* vote the amendment was not adopted, and the bill was ordered to a third reading.

### Third Reading

Mr. Pillsbury of Manchester moved that the rules be suspended to permit the third reading and final passage, by title only, of Senate Bill No. 75, An Act establishing a police commission for the city of Rochester.

On a *viva voce* vote the motion prevailed.

Senate Bill No. 75, An Act establishing a police commission for the city of Rochester, was read a third time and passed and sent to the Senate for concurrence.

### Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it passed Senate Bill No. 75.

On a *viva voce* vote the motion did not prevail.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 295, An Act relative to re-examination of holders of licenses to operate motor vehicles.

Pursuant to the above, the President appointed as mem-

bers of such committee on the part of the Senate, Senator Ferguson, District No. 14, and Senator Colburn, District No. 12.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 195 (In New Draft), An Act to provide for the giving of security by owners and operators of aircraft involved in accidents and to provide for administration thereof.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bills:

Senate Bill No. 58, An Act to provide for the regulation of the business of drivers' schools.

Senate Bill No. 85, An Act relative to temporary use of special military registrations and plates.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 451, An Act relating to building reserve and schoolhouses of the former Lee School District.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolution:

*Resolved by the House of Representatives, the Senate concurring*, that the House of Representatives and the Honorable Senate meet in Joint Convention Thursday, June 23, for the purpose of listening to an address by Dwight D. Eisenhower, President of the United States.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 187, An Act providing for giving notice of claims for skiing injuries.



Amend House Bill No. 187 by striking out all after the enacting clause and inserting in place thereof the following:

1. *Limitation of Actions.* Amend chapter 385 of the Revised Laws (chapter 508, RSA) by inserting after section 3 the following new section:

3-a. *Skiing Injuries.* Notwithstanding the provisions of section 3 of this chapter, actions to recover damages for personal injuries sustained while actually engaged in skiing may be brought within one year after cause of action accrued, and not afterward. This section shall not apply to any such action which shall have accrued prior to July 1, 1955.

2. *Takes Effect.* This act shall take effect July 1, 1955.

On motion of Mr. Downs of Conway the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had voted to adopt the following resolution:

*Resolved*, That His Excellency, the Governor, be requested to return to the Senate for further consideration, House Bill No. 475, An Act relative to salaries of various county officials of Belknap, Cheshire, Coos, Grafton, Hillsborough, Merrimack and Strafford Counties.

### **Personal Privilege**

Mr. Scamman of Stratham rose on a point of personal privilege.

### **Concurrent Resolution**

Mr. Young of Pittsfield offered the following concurrent resolution.

*Whereas* it has become increasingly apparent during the past years that the facilities for the administrative offices of the House of Representatives and the Senate have been deplorable and unstable and subject to the whim of subsidiary departments and

*Whereas* this session has proved the necessity for the permanent provision of office space at proper locations for these esteemed offices be it

*Resolved*, by the House of Representatives, the Senate concurring, that the suite of offices beginning in the north corridor extending from the Governor's office on the second floor to the Senate chamber be vacated by the present occupants and that these be officially designated after proper rearrangements as the permanent offices for the President of the Senate, the Speaker of the House, and the Clerk's office, with proper ante-rooms and any other offices as the House and Senate may deem essential. For this purpose, the Governor shall draw his warrant in the sum of \$5,000, and be it further

*Resolved*, that this project be completed for occupancy before December 1, 1956.

The concurrent resolution was referred to the Committee on Appropriations.

### **Delegation To Attend the Funeral of Mr. Marcotte of Claremont**

The Speaker appointed the Claremont Delegation to represent the House of Representatives at the funeral of Alfred J. Marcotte of Claremont.

### **Resolution**

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### **Third Readings**

House Bill No. 63, An Act relative to use of telephone party lines for fire alarms or other emergency calls.

House Bill No. 379, An Act relative to service exemption for veterans.

House Bill No. 467, An Act relative to certain so-called comic books.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 73, An Act providing for lien on house trailers.

Senate Bill No. 93, An Act legalizing certain action at the Plainfield school district meeting.

Senate Bill No. 101, An Act legalizing the biennial election held in the town of Ellsworth, November 2, 1954, and legalizing the Bridgewater Special School District meeting of May 1, 1955.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

Senate Bill No. 68, An Act relative to the salaries of the board of public works, and the justice of the municipal court of the city of Laconia.

Read a third time and passed, and sent to the Senate for concurrence in the amendment.

On motion of Mrs. Mahoney of Concord at 2:28 o'clock the House adjourned.

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TUESDAY, JUNE 21, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, make us keenly conscious of Thy presence as we, in this General Court, take up the work of another week. Doubtless we will be called upon to make important decisions, decisions that may be for good or ill to the men and women of this state. In this press of duty, and not infrequently in the midst of confusion, we beseech Thee our Father, to direct us to do the right. Open our eyes and inspire our minds that we may see the way Thou wouldst have us see and do the thing Thou wouldst have us do. If there are differences of opinion among us, may they be without animosity. Help us to understand that real victory is not when we win over someone else, but when we master ourselves. Teach us to be good losers as well as good winners. Through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mr. Brown of Loudon led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Colbath of Concord, Hancock of Concord, Dana of Laconia, Young of Pittsfield, Spaulding of Hudson, and Mrs.

Bean of Webster were granted leaves of absence for the day on account of important business.

Mr. Thurlow of Hampton Falls was granted an indefinite leave of absence on account of illness.

### Committee Assignments

Mrs. Martin of Littleton from Ways and Means to Judiciary.

Mrs. Perry of Jaffrey from Municipal and County Government to Ways and Means.

Mr. Weeks of Wolfeboro from Banks to Municipal and County Government.

Mr. Campion of Hanover to Banks.

Mr. Robb of Manchester to be Vice-Chairman of Transportation in place of Mr. Bishop of Gorham, absent because of illness.

### Notice of Reconsideration

Mr. Lavoie of Manchester served notice that he would move to reconsider the vote whereby the House passed House Bill No. 379, An Act relative to service exemption for veterans.

### Committee Reports

Mr. Spaulding of Hudson, for the Committee on Judiciary and Public Works, to whom was referred House Bill No. 474 (In New Draft), An Act relative to lay out of class I and II highways and assessment of damages, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of part 4 of chapter 90 as inserted by section 1 of the bill by striking out the word "including" in the fifth line and inserting in place thereof the words, included in, so that said section as amended shall read as follows: 1. *Occasion for Lay Out, by Governor and Council; Lay Out.* The governor, with advice of the council, may determine upon public hearing whether there is occasion for the laying out or for the alteration of a class I or class II highway, or highways within the state, included in the national system of interstate highways, in a location proposed by the commissioner, or the governor and council may appoint for each location a commission of three persons to hold such hearing and make such determination. The persons appointed to such commission shall be sworn to act faithfully and impartially in the performance

of their duties, and the certificate of their oath shall be returned to the secretary of state. Members of the lay out commission shall be paid twelve dollars per day for such time as they actually are engaged in the service of the state and shall be reimbursed for all traveling, subsistence, incidental and clerical expenses; and any costs of litigation incurred in carrying out the provisions of this act. Such compensation shall be a charge against the funds of the department of public works and highways.

Amend section 8 of part 4 of chapter 90 as inserted by section 1 of the bill by striking out the words "or refusal" in the 13th line, so that said section as amended shall read as follows: 8. *Taking of Land and Property.* Upon receipt of the report on the findings and determination of the governor and council, or of the layout commission, the commissioner of public works and highways or a land damage commission appointed by the governor with the advice and consent of the council, then shall assess the damages to be sustained by each owner of land or property to be taken or purchased. He or it shall tender payment of the sum so assessed for damages after the same has been reviewed by the highway damage review and appeal board in the manner herein provided. No taking or purchase of land or property so assessed shall be consummated until tender of payment is made and accepted or refused by the owner or owners of the land or property to be taken. Such acceptance shall be in writing and signed in ink. Such taking or purchase of land or property shall be in fee simple.

Amend section 16 of part 4 of chapter 90 as inserted by section 1 of the bill by striking out the words "at the discretion of the majority" in the eleventh line and inserting in place thereof the words, by unanimous consent, so that said section as amended shall read as follows: 16. *Meetings.* The board shall hold a meeting within thirty days after its members are first appointed and thereafter shall hold at least six regular meetings each year. Special meetings shall be held as required upon request of the commissioner of public works and highways or the chairman of the land damage commission, or at the call of the secretary or chairman of the board, or at the request of any three members thereof. Notice of any request or calling for a meeting shall be mailed to all members of the board at least five days prior to the date of the meeting,



except that notice may be waived by the unanimous consent of all five members of the board. By unanimous consent of the board, the board may function in any regional area of the state without the attendance of the board member or board members from one or two distant regional areas.

Amend section 18 of part 4 of chapter 90 as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following: 18. *Powers and Duties of the Board.* The board shall have the power to adopt and amend all rules of procedure, not inconsistent with the constitution and laws of this state, which reasonably may be necessary for the proper performance of its duties and the regulations of the proceedings before it, including the detail of individual members of the board to be examiners in specific cases. An examiner shall be so detailed by the chairman of the board in any case where specific investigation seems required; and such examiner shall have no function other than to acquire and assemble information for submission to the board. The board may subpoena witnesses and compel their attendance, and also may require the production of books, maps, papers and documents, necessary to the proper performance of the duties of the board. Any member of the board may administer oaths or affirmations to witnesses appearing before the board. Any person failing or refusing to obey the subpoena or order of the board may be proceeded against in the manner as for refusal to obey any other subpoena. The board shall review the report of the commissioner or of the commission. If the board believes that the sum assessed is excessive and not in the best interest of the state, the board shall so notify the commissioner or the commission; shall notify the owner by registered mail with request for a return receipt of an amount of assessment which the board feels is in the best interest of the state; and shall notify the attorney general. If no objection on the part of the owner shall be received by the board within seven days of the date on the registered return receipt, only the amount approved by the board shall be tendered to the owner. The owner may appeal to the board within the seven days of the date on the registered return receipt and the board shall hear informally the appeal of the owner and render a decision thereon within thirty days thereafter. If the appeal of the owner results in a

change of assessment of damages agreed upon by the board, then the board shall revise the amount approved; shall notify the commissioner or the commission; shall notify the owner by registered mail with request for a return of the revised amount of assessment which the board feels is in the best interest of the state; and shall notify the attorney general. Upon receipt of the revised approved amount of assessment the commissioner or the commission shall then make tender. If after an appeal is made to the board by the owner and after hearing, no change in the amount of assessment is found to be justified the commissioner or the commission shall make tender of the approved amount of damages. If after review, the board finds the assessed damages is too low, it shall make a complete review of the assessment and may require the commissioner or the commission to present in further detail the basis for his or its assessment. After hearing the commissioner or the commission, the board shall establish an approved award by them deemed equitable and just and shall notify the commissioner or the commission; shall notify the owner by registered mail with request for a return receipt of an amount of assessment which the board feels is in the best interest of the state; and shall notify the attorney general. Upon notification by the board of an adjustment of an award that the board determined was too low, the commissioner or attorney general may appeal therefrom as provided in section 19. Tender shall be made to the owner in the revised amount established and approved by the board. The board in notifying any owner of the approval of the amount of damages assessed; a reduction in the amount of damages assessed; or of an increase in the amount of damages assessed shall inform him of his rights of appeal to the board. The board shall, prior to trial or an appeal under section 19, consider and make a final decision on any recommendation of the attorney general concerning settlement out of court.

Amend section 19 of part 4 of chapter 90 as inserted by section 1 of the bill by striking out the word "is" in the twelfth line and inserting after the word "opinion" in the twelfth line the word, is, so that said section as amended shall read as follows: 19. *Appeal of Assessment.* Any owner of land or other property who has not accepted payment of the sum tendered or the commissioner of public works and high-

ways if aggrieved by the decision of the board in the assessment of damages may appeal therefrom to the superior court for the county in which such land or other property is situate by petition within sixty days after the certificate of tender has been filed with the secretary of state, and not thereafter, and the court shall assess the damages by jury, and award costs to the prevailing party. The attorney general, with the concurrence of the commissioner of public works and highways, shall be empowered to compromise and settle any appeal prior to judgment for such sum as in his opinion is in the interest of the state of New Hampshire.

Amend section 20 of part 4 of chapter 90 as inserted by section 1 of the bill by striking out the words "a month" in the tenth line and inserting in place thereof the words, every two months; further amend said section by striking out the word "generally" in the twelfth line, so that said section as amended shall read as follows: 20. *Approval of Assessments.* If upon review of a report of the commissioner of public works and highways or of the commission on assessed damages the board finds that there is no reason to believe the sum assessed to be excessive or against the best interests of the state, the report shall be returned to the commissioner or to the commission with the notation "Approved" and the commissioner or the commission may then tender the payment of the sum assessed. The board shall issue a list of the contemplated awards with the names of the owners and amount of awards at least once every two months and furnish a copy to the commissioner of public works and highways, a copy to the secretary of state, a copy to the attorney general and make the list public.

Amend section 27 of part 4 of chapter 90 as inserted by section 1 of the bill by striking out the word "petitioner" where it appears in the second and third lines and inserting in place thereof the word, owner, so that said section as amended shall read as follows: 27. *Payment by Court.* The clerk of the superior court shall pay over the sum deposited upon demand to the owner and the acceptance of such deposit by the owner shall not in any manner affect or prejudice his right of appeal or be admitted in evidence at the trial by jury on the issues of damages.

Amend section 28 of part 4 of chapter 90 as inserted by

section 1 of the bill by striking out the word "petitioner" where it appears in the first, second and third lines and inserting in place thereof the word, owner, so that said section as amended shall read as follows: 28. *Judgment Against Owner*. If such sum paid to the owner shall exceed the amount of final judgment, the court shall enter judgment against the owner for the amount paid to him in excess of the amount of final judgment.

Amend section 29 of part 4 of chapter 90 as inserted by section 1 of the bill by adding at the end of said section the words, or to the highest bidder from sealed bids, so that said section as amended shall read as follows: 29. *Purchase of Entire Tract; Sale or Portion*. Whenever the commissioner or the commission is of the opinion that savings to the state will thereby be effected, he or it may purchase an entire tract of land or other property upon written agreement with the owner subject to review by the highway damage and appeal board and, with the consent of the governor and council, the commissioner may sell therefrom whatever land or other property is not needed for the location or relocation of the highway. Sale of property not needed for highway purposes shall be made by the commissioner of public works and highways by public auction or to the highest bidder from sealed bids.

The report was accepted.

Reading of the amendment having commenced on motion of Mr. Holden of Hanover further reading was dispensed with.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Coddington of Keene, for the Committee on Judiciary and Public Works, to whom was referred House Bill No. 326, An Act relative to the construction or alteration of highways, and the assessment of highway construction damages, having considered the same, reported the same with the following resolution:

*Resolved*, that it is inexpedient to legislate, subject matter covered by existing legislation.

The report was accepted and the resolution of the committee adopted.

Mr. Chase of Dover, for the Committee on Military and



Veterans' Affairs, to whom was referred House Joint Resolution No. 26, Joint Resolution relative to dredging the Ammonoosuc river at Lisbon, having considered the same, reported the same with the following resolution:

*Resolved*, that it is inexpedient to legislate, subject matter covered by resolution submitted herewith.

The report was accepted.

The question being on the recommendation of the committee.

(Discussion ensued)

Mr. Chase of Dover and Miss Collyer of Lisbon spoke in favor of the question.

On a *viva voce* vote the recommendation of the committee was adopted.

Mr. Chase of Dover, for the Committee on Military and Veterans' Affairs, offered the following resolution:

*Resolved*, that the New Hampshire House of Representatives respectfully request the United States Department of Agriculture and the Corps of Engineers, United States Army, to give early and serious consideration to the correction and abatement of flood conditions in the Ammonoosuc Valley above Lisbon Village, in cooperation with the New Hampshire Water Resources Board, and to utilize any and all assistance available under the Flood Control Act of 1946, as amended, and the provisions of Public Law 566, 83rd Congress, more commonly termed the Hope-Aiken Act, and be it further

*Resolved*, that the Clerk of the House be instructed to send copies of these resolutions to the United States Department of Agriculture and the Corps of Engineers of the United States Army and the New Hampshire Water Resources Board.

On a *viva voce* vote the resolution was adopted.

Mr. Hart of Laconia, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 12, An Act authorizing an interstate compact relating to flood control of the Merrimack River, having considered the same, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Committee on Resources, Recreation and Development, to whom was referred



House Bill No. 12, An Act authorizing an interstate compact relating to flood control of the Merrimack River, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

H. THOMAS URIE,  
WILLIBERT GAMACHE,  
GEO. L. FRAZER,

*A Minority for the Committee.*

The reports were accepted.

Mr. Hart of Laconia spoke in favor of the report of the majority of the committee, ought to pass.

Mr. Urie of New Hampton moved to substitute the report of the minority for that of the majority.

The question being on the motion.

(Discussion ensued)

Messrs. Urie of New Hampton and Davis of Hopkinton spoke in favor of the motion.

Mr. Skinner of Alton spoke against the motion.

(Mr. Rogers of Laconia in Chair)

Messrs. Eastman of Weare, Carpenter of Henniker, Black of Bennington and Gamache of Manchester spoke in favor of the motion.

Messrs. Pickett of Keene, Chadbourn of Lee and Broadhurst of Franklin, and Mrs. Funkhouser of Durham spoke against the motion.

(Speaker in Chair)

Mrs. Frizzell of Charlestown spoke in favor of the motion.

On a *viva voce* vote the Chair was in doubt and called for a division.

A division being had, 172 members having voted in the affirmative, and 115 members having voted in the negative, the motion to substitute the report of the minority prevailed.

Mrs. Funkhouser of Durham demanded the yeas and nays, and the roll was called with the following result:

## Yeas — 194

STRAFFORD COUNTY: Swain, Felker, Webb, Pearson, Flanagan, Wentworth, Evans, Dustin, St. Pierre, Green, Letourneau, Cormier, Beamis, Brown of Strafford.

BELKNAP COUNTY: McAllister, Gardner of Gilford, Robertson, Morin, Tilton, Varrell, Smith of Meredith, Urie, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Benson, Downs, Roberts, Stokes, Nickerson of Madison, Remick, Hodgdon, Peaslee of Wakefield.

MERRIMACK COUNTY: Ellsworth, Vaughn of Bow, Stevens, Davis of Concord, Henry, Shea of Concord, Jewett, Rainie, McKee, Walker, Anderson, Nutter, Charland, Carpenter, Davis of Hopkinton, Milligan, Gay of New London, Wilman, Ayer of Pittsfield, Bigelow, Workman.

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Black, Farwell, Herrick, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Fortin, Hadley, Abbott, Lang of Manchester, Pettigrew, Danforth, Geisel, Mahony of Manchester, Robb, Horan, Fitzgerald, Kean, Smith of Manchester, Walsh, Ecker, Slowey, Corey, Cary, Bergeron, Schrieker, Hurley, Lareau, Donnelly, Gamache, Peaslee of Merrimack, Falconer, Wadleigh, Buckley, Peterson, Ramsdell, Boire, Trombley, Ayers of Nashua, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Burnham, Pike, Smith of Hinsdale, Perry, Spofford, McCullough, Wheeler, Coddington, Carlton, Lane, Bouvier, Rhodes, Billings, Ingham, Thompson.

SULLIVAN COUNTY: Bascom, Frizzell, Howe, Bissonett, Davis of Cornish, Nelson of Goshen, Bailey, Rowell, Vaughan of Newport, Pierce, Gamsby, DeLude.

GRAFTON COUNTY: Ramsey, Pryor, Chamberlin of Bath, Plumer, Willey, Clarke of Canaan, Sanborn, Bradley, Hayward, Larty, Chamberlain of Holderness, Adams, Ashley, Cole, Townsend, Collyer, Gardner of Littleton, Kelley, Martin, Frazer, Carr, Bell, Huckins, Sawyer.

COOS COUNTY: Brungot, Rines, Alls, Hurlbert, Ross,

Ferguson, Cornelius, Potter, Annis, Converse, Baker, Stinson, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Persson, Tenney, Shattuck, Fogg, Barka, Gay of Derry, Blair, Eastman of Exeter, Eldredge, Rathbone, Jones of Fremont, Weeks of Greenland, Spollett, Parmenter, Cheney, Carter, Palmer, Dondero, Sadler, Quirk, Wardwell, Munz, Philbrick, Haigh, Willis (Anna), Willis (Howard), Watterhouse.

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STRAFFORD COUNTY: Crandall, Funkhouser, Littlehale, Stearns, Nute, Chadbourn, Roife, Lacasse, Studley, Estes, Maloomian, Malley.

BELKNAP COUNTY: Skinner, Hart, Rogers, Simoneau, Ballentine, Karagianis.

CARROLL COUNTY: Lamprey, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Baron, Phelps, Vogel, Dowd, Ferrin, Lessels, Nelson of Concord, Corbett, Cilley, Comi, Broadhurst, Burke, Kenney, Dempsey, Mason, DuDevoir, Mulaire, Lovejoy.

HILLSBOROUGH COUNTY: Soucy of Manchester, Ward 1, Pillsbury of Manchester, Dwyer, Betley, Healy of Manchester, Ward 5, Healy of Manchester, Ward 6, Tessier, Craig, Delisle, Lavoie, Constant, Morris, Soucy of Manchester, Ward 12, Gauthier, Cannon, Deans, Cummings, Saunders, Thibault of Nashua, Belcourt, Brosnahan, Maynard, Pappagianis, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Sweeney of Nashua, Dugas, Dutilly, Grandmaison, Langelier, Bouthillier, Dumais, Locke, Dutton, Rice.

CHESHIRE COUNTY: Kirk, Bennett, Brown of Keene, Faulkner, Pickett, Waling, Sherwin, Terrill, Lang of Troy.

SULLIVAN COUNTY: Angus, Bloomfield, Stone, Reney, Roe.

GRAFTON COUNTY: Campion, Holden, Talbot.

COOS COUNTY: Fortier, Sheridan, Christiansen, Bouchard, Fontaine, Gagnon, Simonds, Bushey.

ROCKINGHAM COUNTY: Nickerson of East Kingston, Merrill, Hunter, Battles, Labranche, Barrett, Hundley, Payette,

Murch, Travis, Ingraham, Pillsbury of Sandown, Robinson of South Hampton.

And the motion to substitute prevailed.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Waterhouse of Windham, for the Committee on Ways and Means, to whom was referred House Bill No. 510, An Act relative to the taxation of savings banks, trust companies, building and loan associations, credit unions and other similar corporations, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of said bill by striking out the words "credit unions" so that said title as amended shall read as follows:

An Act relative to the taxation of savings banks, trust companies, building and loan associations and other similar corporations.

Amend the heading for the subdivision in section 1 of said bill by striking out the same and inserting in place thereof the following:

Savings Banks, Trust Companies, Building and Loan Associations, and Similar Corporations.

Amend section 8 of chapter 85 of the Revised Laws, as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

8. *Report of Information.* The treasurer, or other similar officer of every savings bank, trust company, loan and trust company, loan and banking company, building and loan association, co-operative bank, or other similar corporation organized under the laws of this state and of every federal savings and loan association organized to do business in this state, shall, on or before May first in each year, make and transmit to the division of interest and dividends of the state tax commission, upon forms prescribed and furnished by said division, a statement under the penalties of perjury setting forth the following facts as they existed on April first next

preceding in such year: The amount of all savings and special deposits on which the corporation pays interest or dividends and of its shares or capital stock, belonging to residents of each town in the state, including all dividends that have been declared thereon and not paid; and the same facts in relation to depositors, shareholders and stockholders who do not reside in the state or whose residence is unknown.

Amend sections 9, 10, 11 and 12 of chapter 85 of the Revised Laws as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

9. *Report of Dividends Paid.* Every such corporation shall on or before May first file a report with the division of interest and dividends, state tax commission, upon a form prescribed and provided by said division, showing the total amount of interest, dividends or divided profits paid or declared by it on savings deposits, special deposits, shares and capital stock in the twelve months' period preceding said April first.

10. *Imposition of Tax.* Every such corporation as defined in section 8 shall at the time of filing the reports provided for above pay to the division of interest and dividends, state tax commission, a franchise tax for the privilege of engaging in the banking business equal to two per centum of the total amount of interest, dividends and divided profits paid or declared by it on its savings deposits, special deposits, shares and capital stock in the twelve months' period preceding April first. There shall be deducted from the tax imposed by this section the amount which any national bank shall pay under the provisions of section 1 or which any other bank or trust company shall pay under the provisions of section 11; but the extent of such credit as to any such bank or trust company shall not exceed the amount of the tax imposed by this section, and such deduction shall not be allocable among the several towns in the distribution of the amount of tax collected.

11. *Additional Tax.* Every such corporation as defined in section 8, except mutual savings banks, building and loan associations, co-operative banks, federal savings and loan associations, and other said division a further tax for the privilege of conducting such business, equal in amount to one per centum annually upon its capital stock or special deposits; provided however that preferred capital stock or preferred



special deposits of such corporations issued with the approval of the bank commissioner, or the comptroller of the currency under the provisions of an Act of Congress approved March 9, 1933 entitled "An Act To Provide Relief in the Existing National Emergency in Banking and for Other Purposes" and amendments thereof shall be exempt therefrom.

12. *Distribution.* The state tax commission shall certify to the state treasurer, on or before September first after payment of the taxes has been received, the amount to be paid to each town in the state in which depositors, shareholders or stockholders of any such corporations reside, of the taxes so assessed upon the interest, dividends and divided profits paid or declared, shares and stock of residents of such towns which shall be distributed to the respective towns by the state treasurer. Such distribution shall be made among the respective towns, in amounts proportional, as closely as reasonably possible, to the amount of all savings and special deposits, shares and capital stock belonging to the residents of each such town, as determined by the commission.

Reading of the amendment having commenced, on motion of Mr. Ingham of Winchester further reading was dispensed with.

The report was accepted.

The question being on the amendment.

Mr. Geisel of Manchester moved to substitute the words "inexpedient to legislate" for the report of the committee, ought to pass with amendment.

The question being on the motion.

(Discussion ensued)

Messrs. Geisel of Manchester, Cole of Lebanon, Gardner of Littleton, Reed of Goffstown, Malley of Somersworth, Gay of New London, Lavoie of Manchester, Fortier of Berlin, Comi of Concord, Pickett of Keene, Rathbone of Exeter and Miss Collyer of Lisbon spoke in favor of the motion.

Messrs. Ingham of Winchester, Ashley of Lebanon, Plumer of Bristol, Angus of Claremont, and Mrs. Martin of Littleton spoke against the motion.

Mr. Malley of Somersworth moved that the bill be indefinitely postponed.

The question being on the motion.

Mr. Pickett of Keene moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion prevailed.

Mr. Ashley of Lebanon called for a division.

A division being had, 205 members having voted in the affirmative and 74 members having voted in the negative, the motion prevailed.

### Reconsideration

Mr. Pickett of Keene moved that the House reconsider its vote whereby it indefinitely postponed House Bill No. 510, An Act relative to the taxation of savings banks, trust companies, building and loan associations, credit unions, and other similar corporations.

On a *viva voce* vote the motion did not prevail.

### Taken from the Table Under Rule No. 48

House Bill No. 424, An Act creating an industrial development authority.

The question being on the amendment, as printed in the Journal for June 15.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

### Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 249, An Act relative to the New Hampshire shore and beach preservation commission, having considered the same report the same with the following recommendation:

That the House recede from its position of non-concurrence and concur in the adoption of the amendments offered by the Senate.

BENJAMIN C. ADAMS,

DEAN B. MERRILL,

*Conferees on the Part of the Senate.*

HERBERT W. RAINIE.

SCOTT F. EASTMAN,

EMILE J. SOUCY,

*Conferees on the Part of the House.*

On motion of Mr. Rainie of Concord the House agreed to the report of the Committee of Conference.

### Report of Committee on Engrossed Bills

Mrs. Hundley of Portsmouth, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate and House bills and House joint resolution:

Senate Bill No. 103, An Act concerning Wolfeboro village fire precinct.

House Bill No. 335, An Act to change the fees for the licenses and permits of practical nurses.

House Bill No. 396, An Act relative to the use of flashing red lights or red beacons on motor vehicles.

House Bill No. 398, An Act relative to civil defense.

House Joint Resolution No. 57, Joint Resolution in favor of the estate of Edward C. Sweeney, Sr.

The report was accepted.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 491, An Act relative to the Franklin Veterans' Home Association, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Limitation.* The exemption from taxation provided by section 1 hereof shall apply only if membership in the Franklin Veterans' Home Association is limited to those who are also eligible for membership in the Grand Army of the Republic, or the American Legion, or the United Spanish War Veterans, or the Veterans of Foreign Wars, or the Disabled American Veterans.

On motion of Mr. Charland of Franklin the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 11, An

Act relative to education of children placed in homes for children, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill by striking out the first five lines and inserting in place thereof the following:

1. *School Districts.* Amend chapter 137 of the Revised Laws by inserting after section 17 (section 18, chapter 193, RSA) the following new subdivision:

Education of children placed in homes for children.

17-a. *Definition.* The term "home for children" as used in

Further amend said section 1 of said bill by striking out the figure "51" and inserting in place thereof the figure, 17-b.

Further amend said section 1 of said bill by striking out the figure "52" and inserting in place thereof the figure, 17-c.

Amend section 2 of said bill by inserting after the word "Laws" the following, (section 12, chapter 193, RSA)

On motion of Mr. Vaughan of Newport the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendment.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 81, An Act relative to penalties for certain motor vehicle violations.

Pursuant to the above motion, the President appointed as members of such committee on the part of the Senate, Senator Cleveland, District No. 7 and Senator Matthews, District No. 5.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 429, An Act relative to loans of credit unions.

House Bill No. 462, An Act relating to investments of savings banks.

House Bill No. 523, An Act relative to the definitions of the word beverage.

The message further announced that the Senate had voted to recall from the governor House Bill No. 475, An Act relative to salaries of various county officials of Belknap, Cheshire, Coos, Grafton, Hillsborough, Merrimack and Strafford Counties, and to recommit the bill to the Committee of Conference for further study and for the purpose of making correction in connection with Hillsborough County.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 213, An Act relating to school attendance.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 108, An Act relative to interest refunds to members of credit unions.

### **Senate Bill Read and Referred**

Senate Bill No. 108, An Act relative to interest refunds to members of credit unions, was read a first and second time, and referred to the Committee on Executive Departments and Administration.

### **Resolutions**

Mr. Pickett of Keene offered the following resolution:

*Whereas*, Fred A. Jones, Representative from Lebanon for several sessions, is ill in hospital, therefore be it

*Resolved*, That we, the members of the House of Representatives of the New Hampshire General Court, hereby extend our sympathy to our fellow member in his illness and our best wishes for a speedy recovery to health, and be it further

*Resolved*, That the Clerk of the House transmit to Representative Jones a copy of these resolutions.



On a *viva voce* vote the resolution was adopted.

Mr. Mahony of Manchester offered the following resolution:

*Whereas*, it appears that farmers and business people would be enabled to do a day's work before the session of the General Court if the session and committee hearings were held later than at present, therefore be it

*Resolved*, that on Tuesday, June 28, 1955 committee hearings begin at 4:00 o'clock in the afternoon and the session of the legislature be held at 7:00 o'clock in the evening.

On a *viva voce* vote the resolution was not adopted.

### Concurrent Resolution

*Whereas*, President Dwight D. Eisenhower has graciously accepted the invitation to address the General Court of New Hampshire, now therefore be it

*Resolved*, that the Speaker of the House appoint two members of the House and the President of the Senate appoint one member of the Senate to be a welcoming committee of three to greet the President when he lands at the Concord Airport on Thursday, June 23, 1955.

On a *viva voce* vote the concurrent resolution was adopted.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 424, An Act creating an industrial development authority.

House Bill No. 474 (In New Draft), An Act relative to lay out of class I and II highways and assessment of damages.

Severally read a third time and passed, and sent to the Senate for concurrence.

On motion of Mrs. Dustin of Rochester at 2:53 o'clock the House adjourned.

WEDNESDAY, JUNE 22, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Jonathan Mitchell, Vicar, St. George's Church and Minister to Episcopal students.

O God, who knowest the thoughts and motives of all men, give us grace, we beseech Thee, to look upon ourselves as Thou dost look upon us so that we may cast aside petty motives and vain ambitions which we are wont to camouflage with pretty words and may in their stead, embrace motives and goals more perfectly pleasing in Thy sight.

### Leaves of Absence

Mr. Auger of Manchester was granted leave of absence for Wednesday and Thursday on account of important business.

Mr. Dana of Laconia was granted leave of absence for the day on account of important business.

### Committee Reports

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 417, An Act relative to the sale of horned pout for resale, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of said bill by adding at the end thereof the words, to fish and game licenses, and to fishing in Upper Connecticut River, so that said title as amended shall read as follows:

An Act relative to the sale of horned pout for resale, to fish and game licenses and to fishing in Upper Connecticut River.

Amend the bill by inserting after section 1 the following new sections:

2. *Licenses.* Amend section 5 of chapter 247 of the Revised Laws (section 8, chapter 214, RSA) by striking out in the first line the words, "The state treasurer shall supply the director with" and inserting in place thereof the words, The

director shall prepare, so that said section as amended shall read as follow: 5. *Form.* The director shall prepare books containing consecutively numbered licenses in triplicate. Such license, when issued to the licensee, shall bear the date of issuance, and shall contain the name, age, color of hair and eyes and residence of the licensee and such other information as may be requested by the director. Such license, to be valid, must be countersigned by the licensee.

3. *Accountability.* Amend section 8 of chapter 247 of the Revised Laws (section 16, chapter 214, RSA) by striking out said section and inserting in place thereof the following:

8. *Unused Blanks.* Agents shall return to the director, within ten days after the close of the current year, all unused license blanks. The director and agents shall be held responsible to the state for the full face value of all license blanks for which they are chargeable until settlement has been made as above provided. Accounts of the director and agents shall be post audited annually as provided in section 12-a of chapter 23A of the Revised Laws as amended by chapter 121, Laws of 1953.

4. *Repeal.* Sections 1 and 2 of chapter 177 of the Laws of 1953 relative to fishing in Upper Connecticut River are hereby repealed.

Further amend said bill by renumbering section 2 to read section 5.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 39, An Act relative to providing for one open season for taking deer for the entire state, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of the bill by striking out said title and inserting in place thereof the following: An Act relative to season for taking wild deer.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Wild Deer.* Amend section 3 of chapter 242 of the Revised Laws, as amended by chapter 191, Laws of 1943, chapter 168, Laws of 1945, chapter 268, Laws of 1949, and section 1, chapter 245, Laws of 1953 (section 2, chapter 208, RSA) by striking out said section and inserting in place thereof the following: 3. *Taking: Time.* Wild deer, outside game preserves, may be hunted and taken from one-half hour before sunrise to one-half hour after sunset in the part of the state which lies north of U. S. Route 2 from November 1 to November 30 inclusive, and in the part of the state which lies south of U. S. Route 2 from November 25 to December 15 inclusive, provided that no deer shall be hunted or taken at any time on any island or in any waters or lakes and ponds.

The report was accepted.

The question being on the amendment.

Mr. Bisbee of Derry spoke in favor of the amendment.

Mr. Kelley of Littleton moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Kelley of Littleton, Pickett of Keene, Jennings of Goffstown and Miss Spollett of Hampstead spoke in favor of the motion.

Messrs. Plumer of Bristol, Chandler of Bartlett, Converse of Pittsburg, Chamberlin of Bath, Brown of Loudon, Rhodes of Walpole, and Metcalf of Tilton spoke against the motion.

Mr. Kelley of Littleton called for a division.

A division being had, 104 members having voted in the affirmative, and 180 members having voted in the negative, the motion did not prevail.

Mr. Jennings of Goffstown demanded the yeas and nays, and the roll was called with the following result:

### Yeas — 132

HILLSBOROUGH COUNTY: Holmes, Wiggin, Farwell, Hambleton, Jennings, Reed, Fortin, Goodwin, Latour, Pettigrew, Soucy of Manchester, Ward 1, Mahony of Manchester, Robb, Dwyer, Hayes, Horan, Sullivan, Fitzgerald, Kean, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Callahan, Clancy, Ecker, Healy of Manchester, Ward 6, Slowey, Corey, Craig, Langlois, Lavoie, Cary, Morris, Bois-

vert, Hurley, Lareau, Soucy of Manchester, Ward 12, Dion of Manchester, Gauthier, Gamache, Peaslee of Merrimack, Thibault of Nashua, Trombley, Ayers of Nashua, Chartrain, Grandmaison, Langelier, Aho, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Spofford, Kirk, Bennett, Brown of Keene, Pickett, Waling, Sherwin, Terrell, Billings.

SULLIVAN COUNTY: Frizzell, Firestone, Millar, Bailey, Vaughan of Newport, DeLude.

GRAFTON COUNTY: Willey, Ashley, Perley, Collyer, Kelley, Martin, Sawyer.

COOS COUNTY: Roy, Ferguson, Potter, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Persson, Tenney, Shattuck, Fogg, Blair, Eastman of Exeter, Jones of Fremont, Spollett, Battles, Parmenter, Pinkham, Palmer, Dondero, Hundley, Payette, Sadler, Murch, Munz, Ingraham, Pillsbury of Sandown.

STRAFFORD COUNTY: Swain, Chase, Felker, Crandall, Funkhouser, Mros, Nadeau, Carignan, Lacasse, St. Pierre, Studley, Cormier, Brown of Strafford.

BELKNAP COUNTY: Simoneau, Karagianis, Varrell.

CARROLL COUNTY: Stokes.

MERRIMACK COUNTY: Ellsworth, Vogel, Davis of Concord, Colbath, Corbett, Rainie, Cilley, Maxham, Walker, Mahoney of Concord, Broadhurst, Carpenter, DuDevoir, Davis of Hopkinton, Thibeault of Pembroke.

#### Nays — 184

HILLSBOROUGH COUNTY: Robinson of Antrim, Black, Herrick, Jones of Francestown, Poore, Hadley, Abbott, Danforth, Nolan, Tessier, Bergeron, Schricker, Deans, Falconer, Wadleigh, Buckley, Cummings, Peterson, Ramsdell, Saunders, Boire, Belcourt, Brosnahan, Maynard, Dionne of Nashua, Shea of Nashua, Ryan, Dutilly, Dumais, Locke, Dutton, Rice.

CHESHIRE COUNTY: Burnham, Thomas, Pike, Smith of Hinsdale, Perry, McCullough, Wheeler, Coddington, Faulkner, Carlton, Brown of Marlow, Lane, Bouvier, Lang of Troy, Rhodes, Ingham, Thompson.



SULLIVAN COUNTY: Bascom, Angus, Bloomfield, Howe, Bissonett, Stone, Davis of Cornish, Nelson of Goshen, Reney, Pierce, Gamsby.

GRAFTON COUNTY: Ramsey, Pryor, Chamberlin of Bath, Plumer, Clarke of Canaan, Sanborn, Campion, Bradley, Hayward, Holden, Larty, Sleeper, Chamberlain of Holderness, Adams, Cole, Townsend, Frazer, Talbot, Carr, Bell, Huckins, Barney.

COOS COUNTY: Dussault, Fortier, Brungot, Christiansen, Bouchard, Fontaine, Gagnon, Rines, Alls, Hurlbert, Ross, Cornelius, Simonds, Annis, Bushey, Charbonneau, Converse, Baker, Stinson.

ROCKINGHAM COUNTY: Dudley, Bisbee, Clarke of Derry, Nickerson of East Kingston, Merrill, Hunter, Cheney, Carter, Barrett, Quirk, Travis, Haigh, Willis (Anna), Willis (Howard), Felch, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Webb, Connell, Pearson, Littlehale, Chadbourn, Wentworth, Evans, Dustin, Estes, Green, Mallowman, Letourneau, Malley.

BELKNAP COUNTY: Skinner, McAllister, Gardner of Gilford, Robertson, Hart, Rogers, Morin, Tilton, Ballentine, Burbank, O'Shan, Miner, Smith of Meredith, Urie, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Downs, Roberts, Nickerson of Madison, Lamprey, Hayden, Hodge, Remick, Hodgdon, Peaslee of Wakefield, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Baron, Vaughn of Bow, Stevens, Dowd, Henry, Shea of Concord, Lessels, Jewett, McKee, Anderson, Nutter, Burke, Charland, Dempsey, Mason, Mulaire, Brown of Loudon, Milligan, Gay of New London, Wilman, Lovejoy, Bigelow, Bean, Workman.

And the motion did not prevail.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mrs. Studley of Rochester, for the Committee on Judiciary, to whom was referred House Bill No. 168, An Act to

coordinate development and regulatory activities relating to the peaceful uses of atomic energy, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend paragraph IV of section 3 of said bill by inserting after the word "carriers" in the third line the words, or public or private air carriers, so that said paragraph as amended shall read as follows:

IV. The public utilities commission, particularly as to the transportation of special nuclear materials and by-product materials by common carriers or public or private air carriers not in interstate commerce and as to the participation by public utilities subject to its jurisdiction in projects looking to the development of production or utilization facilities for industrial or commercial use.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Faulkner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 390, An Act establishing the office of public defender, having considered the same, reported the same with the recommendation that the bill be referred to the Judicial Council.

The report was accepted and the recommendation of the committee adopted.

Mr. Bennett of Keene, for the Committee on Judiciary, to whom was referred Senate Bill No. 32, An Act relative to the sale of narcotics to minors, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Maloomian of Somersworth, for the Special Committee consisting of the members from the city of Somersworth, to whom was referred House Bill No. 531, An Act relative to the salary of the associate justice of the Somersworth municipal court, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### Reconsideration

Mr. Faulkner of Keene moved that the House reconsider its vote whereby House Bill No. 168, An Act to coordinate development and regulatory activities relating to the peaceful uses of atomic energy, was ordered to a third reading.

On a *viva voce* vote the motion prevailed.

The bill was referred to the Committee on Appropriations, under the rules.

### Recalled from Committee

On motion of Mrs. Davis of Concord, House Bill No. 78, An Act relative to motor vehicle weights, was recalled from the Committee on Transportation for action to be taken at the present time.

Mrs. Davis of Concord offered the following amendment:

Amend said bill by striking out all after the enacting clause, and inserting in place thereof the following:

1. *Motor Vehicles.* Amend section 37, chapter 119 of the Revised Laws as amended by section 1, chapter 11, Laws of 1947, section 1, chapter 104, Laws of 1949, section 1 and 2, chapter 11, Laws of 1950 and section 11, chapter 20, Laws of 1951 (section 61, chapter 263, RSA) by striking out said section and inserting in place thereof the following:

37. *Weight.* The operation on highways of this state of any vehicle or combination of vehicles equipped with pneumatic tires, exceeding the limitations of this section is hereby prohibited.

I. Vehicles having gross axle weights of more than 18,000 pounds per axle on axles less than 10 feet apart, except 3 axle vehicles exclusive of semi-trailers.

II. Vehicles having gross axle weights of more than 22,400 pounds per axle on axles 10 feet or more apart.

III. Vehicles having a gross weight of more than 600 pounds per inch on width of tire.

IV. Two axle vehicles having a gross weight of more than 33,400 pounds.

V. Three axle vehicles with drive on one rear axle and having a gross weight of more than 40,000 pounds.

VI. Three axle vehicles with drive on two rear axles and having a gross weight of more than 47,500 pounds.

VII. A combination of vehicle and semi-trailer equipped with three axles and having gross weights more than those set forth in the following table:

Distance Between Extreme Axles in Feet	Maximum Gross Weight in Pounds
25	47,400
26	48,300
27	49,300
28	50,400
29	51,500
30 to 39 Inclusive	52,800

VIII. A combination of vehicle and semi-trailer equipped with four axles and having gross weights more than those set forth in the following table:

Distance Between Extreme Axles in Feet	Maximum Gross Weight in Pounds
28	48,300
29	49,300
30	50,400
31	51,500
32	52,800
33	54,300
34	56,000
35	58,000
36	60,000
37	62,000
38	64,400
39	66,400

IX. A vehicle or combination of vehicles equipped with any solid rubber tires shall not have weights more than eighty per centum of those permitted in this section for pneumatic tires; provided, no vehicle equipped with solid rubber tires shall be operated upon a public highway, which has at any point less than one inch of rubber above the top or beyond the flange or rim.

X. Motor vehicles or vehicles drawn by motor vehicles when equipped with metal or other hard tires shall not have weights more than forty per centum of those permitted in this section for pneumatic tires.

XI. A vehicle or combination of vehicles shall not be operated or moved over any bridge or other structure on any highway if the weight of such vehicle, or combination of vehicles and load, is greater than the capacity of the structure as shown by a sign on the right side of or overhead on the structure.

XII. It shall be the duty of the commissioner of public works and highways to cause signs to be erected at both ends on the right side of or overhead on all bridges or other structures under his jurisdiction stating the capacity in tons of two thousand pounds which the bridge or other structure will safely carry. For all other bridges or other structures it shall be the duty of the authority having jurisdiction to place similar signs. Upon bridges or other structures of sufficient strength to carry safely the legal loads permissible by this section, no such signs shall be required.

XIII. *Limitations.* The commissioner of public works and highways is hereby empowered to modify the motor vehicle weight limits hereinbefore provided in so far as may be necessary to provide that the state shall receive maximum federal highway aid.

2. *Takes Effect.* This act shall take effect thirty days after its passage.

The question being on the amendment.

Mrs. Davis of Concord spoke in favor of the amendment.

Mr. Rainie of Concord moved that the bill be laid upon the table for printing of the amendment under rule 48.

The question being on the motion.

(Discussion ensued)

Mr. Rainie of Concord and Mrs. Dondero of Portsmouth spoke in favor of the motion.

Messrs. Pickett of Keene, Angus of Claremont, Waling of Keene, Soucy of Manchester Ward 1, and Mrs. Brungot of Berlin spoke against the motion.

Mrs. Gardner of Gilford moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to lay the bill on the table for printing of the amendment.



On a *viva voce* vote the motion did not prevail.

The question being on the amendment offered by the member from Concord.

Mr. Sleeper of Haverhill spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Soucy of Manchester moved that the rules be suspended to allow the third reading and final passage, by title only, at the present time of House Bill No. 78.

On a *viva voce* vote the the motion prevailed.

House Bill No. 78, An Act relative to motor vehicle weights, was read a third time and passed and sent to the Senate for concurrence.

### Reconsideration

Mr. Scamman of Stratham moved that the House reconsider its vote whereby it passed House Bill No. 78, An Act relative to motor vehicle weights.

On a *viva voce* vote the motion did not prevail.

### Personal Privilege

Mrs. Brungot of Berlin rose on a point of personal privilege.

### Resolution

Mrs. Dondero of Portsmouth offered the following resolution:

*Whereas*, according to the membership lists in "American State Legislatures" report by the American Political Science Association and correspondence incident thereto, it appears that Hilda C. F. Brungot, Representative from Berlin for twelve sessions, is the Dean of Woman Legislators in the United States in point of service, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire General Court, hereby congratulate our fellow member and pay tribute to her great length of service to her city and state, and be it further

*Resolved*, that the Clerk of the House transmit a copy of these resolutions to Representative Brungot.

On a *viva voce* vote the resolution was adopted.

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate and House Bills:

Senate Bill No. 58, An Act to provide for the regulation of the business of drivers' schools.

Senate Bill No. 73, An Act providing for liens on house trailers.

Senate Bill No. 85, An Act relative to temporary use of special military registrations and plates.

Senate Bill No. 93, An Act legalizing certain action at the Plainfield school district meeting.

Senate Bill No. 101, An Act legalizing the biennial election held in the town of Ellsworth, November 2, 1954, and legalizing the Bridgewater special school district meeting of May 1, 1955.

Senate Bill No. 110, An Act relative to voting by armed services absentees.

House Bill No. 195, An Act to provide for the giving of security by owners and operators of aircraft involved in accidents and to provide for administration thereof.

House Bill No. 285, An Act relative to the construction of a new library building and the remodelling of the present library building for instructional purposes at the University of New Hampshire.

House Bill No. 429, An Act relative to loans of credit unions.

House Bill No. 454, An Act relating to building reserve and schoolhouses of the former Lee school district.

House Bill No. 462, An Act relating to investments of savings banks.

House Bill No. 495, An Act relative to fees for counsel assigned by court in certain cases.

House Bill No. 523, An Act relative to the definitions of the word beverage.

House Joint Resolution No. 58, Joint Resolution in favor of the estate of Alfred J. Marcotte.

House Bill No. 187, An Act providing for giving notice of claims for damages for skiing injuries.

House Bill No. 400, An Act relative to state owned parking areas at Hampton Beach.

House Bill No. 401, An Act to change the method of appointment of members of the New Hampshire commissioners of the Northeastern Forest Fire Protection Commission.

House Bill No. 535, An Act relative to jurisdiction of the United States over land within New Hampshire.

The report was accepted.

### **Report of Committee of Conference**

The Committee of Conference, to whom was referred Senate Bill No. 35, An Act to provide for the publication and distribution of the Revised Statutes Annotated of the State of New Hampshire, having considered the same, reported the same with the following recommendation:

That the Senate recede from its position of non-concurrence, that the House recede from its position in adopting its amendment and that the following amendment be adopted by the House and Senate.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Distribution of Revised Statutes Annotated.* The secretary of state is hereby authorized to distribute official bound copies of the Revised Statutes Annotated free of charge in the following manner: One copy to each of the following officers and bodies: The governor, the president of the senate, the speaker of the house, the members of the New Hampshire Revision Commission, each justice and clerk of the supreme and superior courts, each court of probate, the clerk of the supreme court of the United States, each judge of the circuit court of the United States for this district, the district court of the United States for this district, the United States department of justice, the Library of Congress, the New Hampshire Historical Society, the state reporter, a sufficient number of copies to the state library for its use and for distribution to each state or territorial library of the United States on an exchange basis, any state or territory making a charge to this state for copies of its laws shall in a like manner be required to pay to the secretary of state the regular price for copies of the Revised Statutes Annotated, the secretary of state, the state treasurer,

the comptroller and seven copies to the office of the attorney general.

FRANK H. SHERIDAN  
W. DOUGLAS SCAMMAN  
NELLE L. HOLMES

*Conferees on the Part of the House.*

JAMES C. CLEVELAND  
ARCHIBALD H. MATTHEWS

*Conferees on the Part of the Senate.*

On motion of Mrs. Holmes of Amherst the report of the Committee of Conference was agreed to.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolution:

### Concurrent Resolution

*Whereas*, President Dwight D. Eisenhower has graciously accepted the invitation to address the General Court of New Hampshire, now therefore be it

*Resolved*, that the Speaker of the House appoint two members of the House and the President of the Senate appoint one member of the Senate to be a welcoming committee of three to greet the President when he lands at the Concord Airport on Thursday, June 23, 1955.

And the President has appointed as a member of such committee on the part of the Senate, Senator Caron.

The message further announced that the Senate had voted to non-concur with the House of Representatives in its amendments to the following entitled bills and asks for a Committee of Conference:

Senate Bill No. 68, An Act relative to the salaries of the board of public works and the justice of the municipal court of the city of Laconia.

Pursuant to the above, the President appointed as members of such committee on the part of the Senate, Senator Keller, District No. 6, and Senator Matthews, District No. 5.

On motion of Mr. Tilton of Laconia the House voted to accede to the request of the Senate for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House, Messrs. Tilton, Rogers and Karagianis of Laconia.

Senate Bill No. 75, An Act establishing a police commission for the city of Rochester.

Pursuant to the above motion, the President appointed as members of such committee on the part of the Senate, Senator Adams, District No. 22, and Senator LaRoche, District No. 20.

On motion of Mrs. Studley of Rochester the House voted to accede to the request of the Senate for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House, Mrs. Studley of Rochester, Messrs. Estes of Rochester and Carignan of Rochester.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 189, An Act relating to the placing of fill in great ponds.

In section 30 of chapter 266 after the sentence, "If the board shall recommend that the petition be granted, in whole or in part, such recommendation shall include appropriate specifications and conditions necessary to the protection of public rights" add the following: "and to the protection of the rights and privileges of persons owning land in the vicinity of the area to be filled by the petitioner."

On motion of Mr. Faulkner of Keene the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 505, An Act to repeal charters of certain corporations.



Amend section 1 of the bill by inserting after Morin Lumber Company (Lancaster 1953) the words, "Morse Chevrolet, Inc. (Newton, New Hampshire)."

On motion of Mr. Faulkner of Keene the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 405, An Act extending certain aeronautical appropriations.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Aeronautical Appropriations.* Notwithstanding other provision of law the unexpended balance of the amount appropriated by section 33 of chapter 306 of the Revised Laws, as inserted by section 10, chapter 281, Laws of 1947 and chapter 19, Laws of 1953, shall be deemed to be appropriated for the purposes specified in said section and be available for such expenditures until June 30, 1957.

2. *Change in Amount.* Amend section 33 of chapter 306 of the Revised Laws as inserted by section 10 of chapter 281 of the Laws of 1947 and section 2 of chapter 162 of the Laws of 1951 by striking out said section and inserting in place thereof the following: 33. *Bonds or Notes Authorized.* The sum of two hundred thousand dollars is hereby appropriated to be used as needed for the purpose of equal matching of town funds for the construction of airports, excluding the cost of land and buildings, under the Federal Aid Airport Program or for equal matching of town funds for the construction of airports, excluding the cost of land and buildings, by state contributions not in excess of five thousand dollars. Ten thousand dollars of said sum may be used as needed for the purchase and installation of air navigation aids without being required to be matched by town or federal funds. To provide funds for said appropriation the state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state not exceeding two hundred thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state of New Hampshire. The treasurer shall recommend for the approval of the

governor and council the form of such bonds, their rate of interest, the dates of maturity, the places where interest and principal shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of faith and credit of the state. The proceeds of the sale of such bonds or notes shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act only, and the governor, with the advice and consent of the council shall draw warrants for the payment from the funds provided for herein of all sums expended or due for the purposes herein authorized. Such bonds shall be negotiated by the treasurer by direction of the governor and council as they deem to be most advantageous to this state.

3. *Accounts.* The provisions of section 33-a of chapter 306 of the Revised Laws, as inserted by Laws of 1947, chapter 281, section 10, shall apply to all bonds or notes authorized under this act.

4. *Short-Term Notes.* The provisions of section 33-b of chapter 306 of the Revised Laws, as inserted by Laws of 1947, chapter 281, section 10, shall apply to this act.

5. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Scamman of Stratham the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolution sent up from the House of Representatives:

House Bill No. 361, An Act relative to taxes in unincorporated places.

House Bill No. 400, An Act relative to state owned parking areas at Hampton Beach.

House Bill No. 401, An Act to change the method of appointment of members of the New Hampshire commissioners of the Northeastern Forest Fire Commission.

House Bill No. 535, An Act relative to jurisdiction of the United States over land within New Hampshire.

House Joint Resolution No. 58, Joint Resolution in favor of the estate of Alfred J. Marcotte.

The message also announced that the Senate had passed bills and joint resolution with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 109, An Act authorizing the creation of regional planning commissions.

Senate Bill No. 111, An Act relative to nature of the tax on tobacco products.

Senate Joint Resolution No. 5, Joint Resolution in favor of Louis E. Clement.

### Senate Bills Read and Referred

The following bills were read a first and second time and referred as follows:

By Senator Cleveland of District No. 7, Senate Bill No. 109, An Act authorizing the creation of regional planning commissions. To the Committee on Resources, Recreation and Development.

By Senator Caron of District No. 17, and Senator McMeekin of District No. 3, Senate Bill No. 111, An Act relative to nature of the tax on tobacco products. To the Committee on Judiciary.

By Senator J. Wesley Colburn of District No. 12, Senate Joint Resolution No. 5, Joint Resolution in favor of Louis E. Clement. To the Committee on Appropriations.

### Resolutions

Mr. Walsh of Manchester offered the following resolution:

*Whereas*, Dr. John F. Holmes of Manchester has passed away, and

*Whereas*, he was the author of the lyrics of our State song, "Old New Hampshire," therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire General Court pay tribute to his memory and express our sympathy to his family in its bereavement, and be it further

*Resolved*, that the Clerk of the House transmit a copy of these resolutions to Mrs. Holmes.

On a rising vote the resolution was unanimously adopted.

### Communication

THE DAVIS LIBRARY  
The Phillips Exeter Academy  
Exeter, New Hampshire

June 18, 1955

THE HONORABLE CHARLES GRIFFIN  
The Speaker of the House of the State of New Hampshire  
Concord, New Hampshire

*Dear Mr. Griffin:*

By the unanimous vote of the Society of Colonial Wars in the State of New Hampshire at our last meeting held here in Exeter yesterday, I am directed to forward to you the enclosed resolution concerning the Benning Wentworth property at Portsmouth.

Mr. E. Winter Eastman, a member of this Society, has kindly agreed to present you with our resolution when he is in Concord this coming week for the sessions of the Legislature.

Very sincerely yours,

RODNEY ARMSTRONG,  
*Secretary-Treasurer*  
The Society of Colonial Wars in  
the State of New Hampshire

Whereas the historic Governor Benning Wentworth mansion at Little Harbor has been acquired by the State,

Now therefore be it resolved by the Society of Colonial Wars in the State of New Hampshire that we urge upon the Legislature and the Department of Forestry and Recreation to preserve and restore the house and suitably protect it from fire as well as refurnishing it as an outstanding memorial of the Golden Age of New Hampshire in Colonial history, which few, if any, States can duplicate.

(Signed) FREDERICK GILBERT BAUER, Governor  
The Society of Colonial Wars in the  
State of New Hampshire

### Committee Appointed

Pursuant to the Concurrent Resolution adopted by the House relative to a committee to welcome the President at the Concord Airport on Thursday, June 23, the Speaker appointed Messrs. Geisel of Manchester, chairman, and Young of Pittsfield.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Bill No. 39, An Act relative to season for taking wild deer.

Read a third time and passed and sent to the Senate for concurrence.

### Reconsideration

Mr. Scamman of Stratham moved that the House reconsider its vote whereby it passed House Bill No. 39, An Act relative to season for taking wild deer.

On a *viva voce* vote the motion did not prevail.

House Bill No. 417, An Act relative to the sale of horned pout for resale, to fish and game licenses, and to fishing in Upper Connecticut River.

House Bill No. 531, An Act relative to the salary of the associate justice of the Somersworth municipal court.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 32, An Act relative to the sale of narcotics to minors.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Dustin of Rochester at 2:47 o'clock the House adjourned.



THURSDAY, JUNE 23, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O Lord, our Heavenly Father, the High and Mighty Ruler of the universe, Who from Thy throne dost behold all the dwellers upon earth; most heartily we beseech Thee, with Thy favor to behold and bless Thy servants, the President of the United States, the Governor of this state, and all others in authority; and so replenish them with the grace of Thy Holy Spirit, that they may always incline to Thy Will, and walk in Thy Way. O God of all nations, look down upon us and sustain us in the spirit of justice and humility that we may always prove ourselves a people worthy of this good land Thou hast given us. Grant that our ideals and aspirations may be in accordance with Thy will, and that we may make our nation a blessing to the world. Through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mrs. Hayden of Ossipee led the convention in the salute to the flag.

### Leave of Absence

Mr. Hunter of Hampton was excused indefinitely on account of important business.

### Communication

The Speaker read the following letter:

STATE OF MICHIGAN  
Office of the Governor  
LANSING

HONORABLE CHARLES GRIFFIN  
Speaker of the House of Representatives  
General Court  
Concord, New Hampshire

*My Dear Mr. Speaker:*

Thank you very much for the many courtesies and honors extended on the occasion of my visit to the New Hampshire Legislature. Please extend my sincere thanks to all of the

members of the House of Representatives. I appreciated their friendly attentions. I am very grateful to you for your cordial and kindly introduction, which most certainly got me off to a good start. I am also grateful for your statement of appreciation which I heard with pride.

We in Michigan are proud of our people and our hospitality and I can only hope that some of you from New Hampshire will visit us in Michigan and that we can do as well by you as you did by us.

With every good wish.

Sincerely,

G. MENNEN WILLIAMS,  
*Governor.*

### Introduction of Bills

The following bills were severally introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Committee on Rules (Mr. Peaslee of Merrimack), House Bill No. 540, An Act authorizing the Merrimack Village District to issue bonds or notes. To the Committee on Executive Departments and Administration.

By Committee on Rules (Mr. Angus of Claremont), House Bill No. 541, An Act making temporary appropriations for the expenses of the state of New Hampshire for the month of July, 1955. To the Committee on Appropriations.

By Committee on Rules (Mr. Converse of Pittsburg), House Bill No. 542, An Act providing additional retirement benefits for Harry L. Hurlbert. To the Committee on Appropriations.

### Committee Reports

Mr. Willey of Campton, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 534, An Act legalizing certain meetings of the town of Seabrook, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 363, An Act relative to

pedestrians and to dimming lights on motor vehicles and trailer break-away safety chains on trailers, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Use of Highways.* Amend chapter 119 of the Revised Laws (chapter 263 RSA) by inserting after section 22-a, as inserted by chapter 212, Laws of 1949, the following new section: 22-b. *Pedestrians.* Where sidewalks are not provided any pedestrian walking along and upon a highway shall, when practicable, walk only on the left side of the roadway or its shoulder facing traffic which may approach from the opposite direction.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Faulkner of Keene spoke in favor of the amendment.

Mr. Pickett of Keene spoke against the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Pappagianis of Nashua, for the Committee on Judiciary, to whom was referred House Bill No. 294, An Act relating to defamation by radio or television, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Healy of Manchester, Ward 5, for the Special Committee consisting of the members from the city of Manchester, to whom was referred House Bill No. 122, An Act relative to extra pay for the police force in the city of Manchester at certain times, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Smith of Manchester, for the Special Committee consisting of the members from the city of Manchester, to whom

was referred House Bill No. 210, An Act relative to vacations for employees of the city of Manchester, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following: 1. *The City of Manchester.* Amend section 1 of chapter 279 of the Laws of 1919, as amended by section 1, chapter 278 of the laws of 1921, section 1, chapter 275, Laws of 1943 and section 1, chapter 277 of the laws of 1945 by striking out said section and inserting in place thereof the following: Section 1. All employees of city departments, including school custodians but excluding the police, fire and school departments and employees of the city library, who have been employed by the city continuously for the previous twelve months, shall be allowed twelve days' rest in each year's employment without loss of pay, the time to be at the discretion of the department head. All employees of city departments who have been employed by the city for fifteen years shall be entitled to an extra rest of three days in each year's employment without loss of pay.

Amend section 2 of the bill by striking out the words "upon its passage" and inserting in place thereof the word and figures, January 1, 1956, so that said section as amended shall read as follows:

2. *Takes Effect.* This act shall take effect January 1, 1956.

The report was accepted, the amendment laid upon the table to be printed under Rule No. 48.

Mr. Ecker of Manchester, for the Special Committee consisting of the members from the city of Manchester, to whom was referred House Joint Resolution No. 45, Joint Resolution relative to investigation of certain election laws in the city of Manchester, having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Healy of Manchester, ward 5, for the Special Committee consisting of the members from the city of Manchester, to

whom was referred House Joint Resolution No. 46, Joint Resolution relative to a study of the ward lines of the city of Manchester, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

### Report of Committee on Engrossed Bills

Mrs Hundley of Portsmouth, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bills:

House Bill No. 361, An Act relative to taxes in unincorporated places.

House Bill No. 485, An Act relative to evidence of value for determination of taxation of railroads and public utilities.

House Bill No. 491, An Act relative to the Franklin Veterans' Home Association.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 13, An Act relative to mileage for members of the Legislature.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Committee on Mileage.* Amend section 16, chapter 9, Revised Laws, as amended by chapter 14, Laws of 1943, section 2, chapter 117, Laws of 1949, and section 4, chapter 251, Laws of 1951 (section 16, chapter 14, RSA) by striking out said section and inserting in place thereof the following: 16. *Computation of Distance.* The distance traveled shall be computed by the nearest improved highway as set forth in the so-called standard mileage table and amendments thereto. The committee on mileage shall be arbiters to all disputes and claims involving payment of mileage to members. In January of each biennial session of the legislature the mileage commit-



tee shall consult with the department of public works and highways relative to distance as set forth in said table between Concord and the various towns and wards of the state. After a study of the table has been made said committee shall recommend to the legislature any changes which may be necessary therein in order that said table shall correctly set forth the distances by the nearest improved highways.

Further amend said bill by striking out section 3 and by renumbering section 4 to read section 3.

On motion of Mr. Crandall of Dover the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 52, An Act to ratify the New England higher education compact.

House Bill No. 59, An Act providing for the classification of Baker river and its watershed.

House Bill No. 485, An Act relative to evidence of value for determination of taxation of railroads and public utilities.

House Bill No. 525, An Act empowering the public utilities commission to bargain with the New York Power Authority.

The message further announced that the Senate had voted to adopt the report of the Committee on Conference on:

Senate Bill No. 35, An Act to provide for the publication and distribution of the Revised Statutes Annotated of the State of New Hampshire.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 229, An Act relative to the authority of the public utilities commission.

The message also announced that the Senate had voted to concur with the House of Representatives in its adoption of

the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

Senate Bill No. 11, An Act relative to education of children placed in homes for children.

House Bill No. 491, An Act relative to the Franklin Veterans' Home Association.

### Resolution

Mr. Hunter of Hampton offered the following resolution:

*Whereas*, James H. Thurlow, Representative from Hampton Falls, is ill in Exeter Hospital, therefore be it

*Resolved*, that we, the members of the House of Representatives, hereby extend our sympathy to our fellow member in his illness, and our best wishes for a speedy recovery to health, and be it further

*Resolved*, that the Clerk of the House transmit to Representative Thurlow a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

### Third Readings

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to permit the third readings and final passage, by title only, at the present time of House Bill No. 534, An Act legalizing certain meetings of the town of Seabrook.

House Bill No. 363, An Act relative to pedestrians and to dimming lights on motor vehicles and trailer break-away safety chains on trailers.

Severally read a third time and passed, and sent to the Senate for concurrence.

### Reconsideration

Mr. Pickett of Keene moved to reconsider the vote whereby the House concurred in the Senate amendment to House Bill No. 13, An Act relative to mileage for members of the legislature.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Wadleigh of Milford the rules were suspended to permit the House and Senate to meet in Joint Convention on the State House Plaza at 4:00 o'clock.

Mr. Wadleigh of Milford moved that when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

On a *viva voce* vote the motion prevailed.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

### Afternoon Session on the Plaza

Pursuant to a concurrent resolution adopted by both branches of the legislature the House of Representatives and the Senate met in Joint Convention for the purpose of listening to an address by Dwight D. Eisenhower, President of the United States.

The chairman called the session to order.

The Speaker introduced the honored guests present on the rostrum who were: Bishop Charles F. Hall, Bishop Matthew F. Brady, Chief Justice of Supreme Court, Frank R. Kenison; Councilor, District No. 1, Parker M. Merrow; Councilor, District No. 2, Charles T. Durell; Councilor, District No. 3, Romeo J. Champagne; Councilor, District No. 4, Frederic H. Fletcher; Councilor, District No. 5, John P. H. Chandler, Jr.; Mr. Bernard M. Shanley; General Howard Snyder; United States Representative Perkins Bass; United States Representative Chester Merrow; Assistant to the President, Sherman Adams; United States Senator Norris Cotton; United States Senator Styles Bridges; President of the Senate, Raymond K. Perkins.

The Sergeant-at-Arms announced the entrance of Governor Lane Dwinell and the President of the United States, Dwight D. Eisenhower.

The Speaker introduced the Governor, who extended the following welcome to President Dwight D. Eisenhower to the Joint Convention.

### Address by Governor Dwinell

*Mr. Speaker, Mr. President, Members of the General Court, and Guests:*

Our State has been the scene of many historic happenings.

Other Presidents and other famous personages have honored us in the past. The roll is a long and notable one. But

no visitor to New Hampshire in its entire history, has received or deserved a warmer and more genuine welcome, than has our distinguished guest.

And may I add that not one of the 85 men who, since the year 1680, have preceded me as Chief Executive of our State has had a greater privilege than is mine today.

We recount with pride the celebrated men who have honored us by their presence. Our first President, George Washington, was welcomed to Portsmouth in 1789 when it was our capital city.

To Concord in 1817 came James Monroe.

Andrew Jackson in 1833 spoke to the public from in front of the hotel, just across the way, and was greeted there by Governor Dinsmore and the members of the Legislature.

Our own Franklin Pierce and Ulysses S. Grant spoke to the public from these same steps.

James K. Polk in 1847 and Benjamin Harrison in 1889 addressed the Legislature.

From overseas in 1825 came Lafayette and we delighted to honor him on this very spot. There is the plaque commemorating his visit. There stands the elm he planted. Governor Morrill, members of the General Court and many veterans of the Revolutionary War greeted him, even as today, we, together with veterans of other wars, greet our distinguished visitor. It is an interesting coincidence that this very day is the 130th anniversary of Lafayette's visit to Concord, and I need not remind you that the man we greet here is as dear to France as Lafayette is to us.

But today we set a precedent, one which we all share with pride. You are witnessing an historic event, for this is the first time in the long annals of our State that our legislators, in convention assembled, have met in regular session outside their own halls, in the open on the Capitol Plaza, in order that all our people may join with them to welcome and honor a President of the United States.

Mr. Speaker, the members of the General Court are to be commended for sharing this occasion with so many of our citizens. It is typical of New Hampshire, which prides itself on its truly representative government, on its town meetings, on its citizen participation in government, on its free and open assemblies.

A stranger might get the impression from what he sees here that in New Hampshire one-half the people are in the Legislature and the other half in the gallery. The situation is not precisely that, but it is fair to say that our New Hampshire government is the nearest thing to a town meeting that can be found in any state. Such a large body of men and women could scarcely get anything done at all, were it not for that Yankee quality of neighborliness, that sense of having common principles, common problems and the willingness to seek slow but sure solutions.

This is only the first of many welcomes which our guest will receive during his visit to us. He has generously consented to ride many miles through the heart of our State, thus affording the opportunity for thousands more of our citizens to pay their respects to him. Although his trip does not take him to our seacoast region, to all of our industrial cities or recreational areas, or through some of our most productive agricultural sections, I am sure he is conscious of their existence from previous visits. Thousands from these areas will travel long distances to greet him during the course of his journey.

The President honors us at a time which is of great importance to our State, the 150th anniversary of the discovery of the Old Man of the Mountains. Tomorrow he will join with us in a celebration of that event which we affectionately call the "Old Man's Birthday." He will observe that it is a strong countenance the Old Man has, sculptured by ice from the granite of the mountain; a countenance whose mouth is set and whose steady gaze is leveled, ever watchful, to the East across the Atlantic, to that continent no longer so far away, whence came not only our ancestors but many of our troubles over the past two hundred years.

I know that our distinguished visitor is aware that New Hampshire is famous for many other things; its beauty; its granite hills; its Daniel Webster, statesman and orator; its John Stark, patriot and soldier; its public servants, past and present; its independent and self-reliant citizens, its men and its women who have made their mark in the nation's councils, and on its battlefields.

He is aware that our sons and daughters have served our country with distinction, and always with a profound sense of duty and devotion. Many of those sons and daughters served



under his command abroad and many still serve him as their Commander-in-chief.

He is aware that we take our political obligations seriously in New Hampshire; that we make our choices carefully and deliberately and wisely, and that we make those choices early so that others may benefit from our good judgment.

I recall to your memory, a similarity, the journey through New Hampshire, nearly one hundred years ago, of another man of destiny. Though the form is differed, it is our firm belief, well documented, that the support and encouragement Abraham Lincoln received from our forebears, played no small part in determining his nomination at Chicago in 1860.

We have known our celebrated visitor as a soldier, as the head of a great university, as the leader in combat of the Allied Forces in Europe, and now, as President, all of us as loyal citizens, whatever our creed, whatever our trade or profession, whatever our political party; all of us are privileged to welcome him here in our Capital city.

I do not believe that any of us fully appreciate the problems that confront the President in these days; the decisions of great import, domestic and foreign that demand his attention; decisions that affect each of us, and entailing responsibilities heavy beyond imagination.

But even as we draw strength from his courage and integrity, may the man we welcome today take strength from our granite hills, for surely firmness and steadfastness of purpose were never more sorely needed. And may he draw added strength from the knowledge that our New Hampshire men and women, now as in the past, support him in his efforts for peace and justice throughout the world, efforts that do not and will not sacrifice the fair interests of our country, of which he is the chosen leader.

In bidding this man welcome to New Hampshire, to our rugged hills, valleys serene, our towns and our cities, let us also make it plain that in equal measure we welcome him to our hearts.

So, Mr. President, in greeting you here today may I borrow from the past, and repeat what John Sullivan said, when as Chief Executive of the State in 1789, he welcomed President George Washington with these words:

"You will permit us to say that among the vast multitude of your admirers, there is not a people who hold your talents

and your virtues in higher veneration than the inhabitants of New Hampshire. We beg you, Sir, to accept our most cordial thanks for the honor done to this State, by your more than welcome visit at this time."

Now in 1955, one hundred and sixty-six years later, it is my privilege, Mr. President, on behalf of every citizen of our State, to extend to you a most heartfelt welcome.

The Speaker then introduced President Dwight D. Eisenhower as follows:

### **Introduction by the Speaker**

*Members of the General Court and Friends:*

Your distinguished and welcome guest

One whose search for peace is guided by his knowledge of war

The President of the United States

### **Address of President**

*Remarks of*

*the President of the United States*

DWIGHT D. EISENHOWER

to the General Court of New Hampshire

State House Plaza

June 23, 1955

Governor Dwinell, Mr. Speaker, distinguished guests, and my fellow Americans:

I wonder whether your imaginations could picture yourself the recipient of such a glowing commendation as has been heaped upon me by your Governor and by the people of this state for whom he spoke. If your imaginations are equal to that task then you must know something of how I feel. You must know how inadequate are words in any effort to reply effectively and truly feelingly. I can only say I am overwhelmed by your kindness.

Now, I had many reasons for coming on this trip. The simplest one of all, the one that explains it best, is merely a matter of self-education. No man in responsible office can ever know enough about this country. He must seize opportunities to go and learn and he finds there are spots that he has visited less than possibly some others and one of the great gaps in my education is that I have not visited this northern tier of the

New England group as much as I should have liked, and so I am seizing the opportunity, between a speech in California and possibly even more prolonged talks in Europe, to come here to mingle with you to learn something of what you are thinking, to gain strength among you. There are among you many of my old comrades in the Armed Services, people who served with me in war and peace, and they'll know from their courses in staff colleges and listening to the lectures that the commander often visits his troops, and the purpose is supposed to be to inspire them to do their duty better, to carry on in better fashion the work they are sent to do. I found during the war that this whole process was reversed in my case. I went out to visit the troops so I could go and do my job better. My admiration for the young American on the battlefield is unexcelled and I have found in later times that my admiration for his counterpart in every hamlet, every city and every farm in America is exactly the same. When I feel that I have got a grip on what Americans are thinking then I am perfectly certain that I am right.

In these feeble words I am trying to tell you the serious reasons for my visit among you. There are some not quite so serious in character. In my White House study we have a lecture every morning. The Chief of Staff has one subject — New Hampshire! Most of us have had a bit of education, we've unquestionably learned something, but above all things we have had our curiosity excited. We want to find out whether the golf greens are greener, the fish larger, more plentiful, and more cooperative, whether the hills are really as beautiful as he says, whether all of the people are as healthy and strong and completely independent and virile, and — well, all of the good words that we apply to people — I expect to find everyone of them here. People often ask me what my ideas are of how long I would like a residence on 1600 Pennsylvania Avenue. My own thought is that they should ask how long it is going to take Governor Adams to finish up his series of lectures on New Hampshire. He doesn't seem to be a third of the way through them yet.

In any event, just to know you is a great honor. To have heard the words I have heard is a greater one. I hope in the next day or two to see as much of each of you as I can. Perhaps I shall have the great privilege of greeting some of you personally, of shaking your hand and talking to you, if even

for a brief moment. If I do have that privilege, I assure you that it will be one I shall treasure; if I do not, I would ask you to remember that I wanted to do so. This is one of the great days in my life, marred only by the fact that Mrs. Eisenhower could not be here, because she would have enjoyed it just as much as I.

PRESENTATION OF GIFT  
to  
PRESIDENT DWIGHT D. EISENHOWER  
by  
CHARLES GRIFFIN, *Speaker*

*Mr. President:*

About the time the Old Man of the Mountains was discovered by road builders, there lived in Boston town a clever citizen whose part in the war for freedoms is known to all Americans.

When he worked at war, he played for peace — when he stirred the brew of rebellion, he cast the bells that pealed in joy, when he took lives for liberty, he gave grace to living. He never forgot, as he practiced the art of combat, to exercise his tradesman's skill. His devotion was inspired.

He remains famous for his Americanism, and for his New England craftsmanship. Both are our inheritances. Mr. President, we share both with you.

Would you be so kind, therefore, as to bring home for us to Mamie this remembrance from the General Court of New Hampshire, a replica of the famous Paul Revere bowl, inscribed as follows:

TO MAMIE

Who is as Fond of Ike as We Are . . . . .

Presented by the General Court of New Hampshire

JUNE 23, 1955

May I say to the New Hampshire General Court, nothing will please me more, and for the pleasure I shall have when I can carry this home to her from the General Court of New Hampshire, I thank you.

On motion of Mrs. Studley of Rochester the remarks of the President were ordered printed in the Journal.

On motion of Senator Landers of District No. 10 the Convention rose.

### House

On motion of Mr. Wadleigh of Milford at 4:40 o'clock the House adjourned.

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TUESDAY, JUNE 28, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Sidney D. Cahoon, Woodstock Baptist Church of Woodstock.

O Lord God of our Fathers, Who in Thy goodness hast led us hither by wondrous ways, Who makest the nations to praise Thee, and desirest that we live together in peace. We ask Thee to pour out Thy blessing upon our State. Endue with the spirit of wisdom and service the governor, and all those to whom is entrusted the authority of government; that there may be justice, understanding, peace and good will in the bond of brotherhood, and in the fellowship of faith. And that as a people we may be found acceptable unto Thee. In Jesus' Name we ask. Amen.

### Salute to the Flag

Mr. Nelson of Goshen led the convention in the salute to the flag.

### Leaves of Absence

Mr. Willey of Campton and Mrs. Funkhouser of Durham were granted leaves of absence for the week on account of important business.

Mr. Dana of Laconia was granted leave of absence for the day on account of important business.

Mr. Latour of Hudson was granted leave of absence for Tuesday and Wednesday on account of important business.

Mr. Jones of Frankestown was granted leave of absence for Wednesday and Thursday on account of important business.

Messrs. Comi of Concord and Wadleigh of Milford were granted leaves of absence for the week on account of illness.



### Introduction of a Joint Resolution

The following joint resolution was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By Committee on Rules (Mr. Geisel of Manchester), House Joint Resolution No. 60, Joint Resolution in favor of Austin H. Reed. To the Committee on Appropriations.

### Committee Reports

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred Senate Bill No. 42, An Act relative to revenue of the department of health, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An act relative to revenue of the department of health; providing for additional appropriations for certain departments for the fiscal year ending June 30, 1955.

Amend said bill by inserting after section 1 the following new section: 2. *Supplemental Appropriations.* The sum of twenty-six thousand three hundred nineteen dollars and fifty-eight cents is hereby appropriated to supplement the appropriations made by chapter 249 of the Laws of 1953, as follows:

For administration and control

Division of buildings and grounds	\$4,319.58
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For board of registration in

medicine	\$500.00
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Less revenue and balances	500.00
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Net appropriations	0.00
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For state treasury	12,000.00
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Legislature	10,000.00
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\$26,319.58

The appropriation for the state treasury shall be for the reimbursement of bounties for porcupine paid by selectmen or city clerks for animals killed prior to July 15, 1955, provided that no reimbursement shall be made hereunder unless

the accounts from said selectmen or city clerks shall be submitted to the state treasurer prior to November 1, 1955.

The sums appropriated for board of registration in medicine shall be a charge against revenue for the board, and the balance of the sums hereinbefore appropriated shall be a charge upon the general funds of the state.

Further amend said bill by renumbering section 2 to read section 3.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

On motion of Mr. Scamman of Stratham the rules were suspended to allow the third reading and final passage, by title only, at the present time, of Senate Bill No. 42, An Act relative to revenue of the department of health, providing for additional appropriations for certain departments for the fiscal year ending June 30, 1955.

The bill was read a third time and passed, and sent to the Senate for concurrence in the amendment.

Mrs. Goodwin of Hollis, for the Committee on Appropriations, to whom was referred House Bill No. 529, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1956, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 1 of said bill as follows:

Amend paragraph relative to the legislative branch as follows:

Strike out the figures "3,000.00" for "Legislative council" and insert the figures 1,500.00; strike out the figures "280,500.00" for "Total for legislative branch" and insert the figures 279,000.00.

Amend paragraph for the executive branch as follows:

Strike out under the office of the governor the figures "7,500.00" for "Governor's special fund" and insert the figures 13,500.00; strike out the figures "63,490.00" for "Total for governor's office" and insert the figures 69,490.00; strike out the figures "148,890.00" for "Total for executive branch" and insert the figures 154,890.00.

Amend the appropriation for judicial branch by insert-

ing an asterisk after the figures "5,500.00" for "N .H. supreme court reports" in the paragraph for the supreme court; by striking out the footnote at the end of the appropriation and inserting in place thereof the following:

\*The funds in these appropriations shall not lapse, but shall be available for expenditure in the following fiscal year.

Amend the appropriation for the department of agriculture by inserting after the paragraph for insect and plant disease control the following new paragraph:

Milk control:

Personal services	\$11,510.00
Current expenses	2,680.00
Travel	1,600.00
Equipment	187.50

Total	\$15,977.50
Less estimated revenue	15,977.50

Net appropriation	0.00
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Further amend the appropriation for the department of agriculture by striking out the paragraph "Economic poisons law" and inserting in place thereof the following:

Economic poisons law:

Current expenses	\$300.00
Travel expenses	1,197.50
Equipment	459.00

Other expenditures:

Temporary and professional services	1,043.50
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Total	\$3,000.00
Less estimated revenue	3,000.00

Net appropriation	0.00
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Further amend the appropriation for the department of agriculture by striking out the figures "300.00" for the "Board of veterinary examiners" and insert the figures 425.00; by striking out the figures "331,164.90" for "Total for department of agriculture" and insert the figures 331,289.90.

Amend the appropriation for the department of health by striking out the paragraph for "Hospital services: federal"

and inserting in place thereof the following:

Hospital services: federal

Personal services	\$3,642.50‡
Current expenses	340.00
Travel	1,000.00

*Total	\$4,982.50
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*Less estimated revenue	4,982.50
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Net appropriation	0.00
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‡ In case federal funds are not available in the amount estimated the department is authorized to transfer from state funds for personal services in other divisions to this account.

Further amend the appropriation for the department of health by striking out the paragraph for "Communicable disease control; state" and inserting in place thereof the following:

Communicable disease control: state

Personal services	\$36,006.50
Current expenses	97,750.00
Travel	1,500.00

Total	135,256.50
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Further amend the appropriation for the department of health by striking out the paragraph for "Maternal and child health and crippled children's services; state" and inserting in place thereof the following:

Maternal and child health and crippled

children's services: state

Personal services	\$21,099.00
Current expenses	35,000.00
Travel	400.00

Other expenditures:

Convalescent care and clinics	60,000.00
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Total	116,499.00
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Further amend the appropriation for the department of health by striking out the paragraph for "Maternal and child health and crippled children's services: federal" by striking out the same and inserting in place thereof the following:

Maternal and child health and crippled  
children's services: federal

Personal services	\$14,980.00
Current expenses	58,775.00
Travel	2,000.00
Other expenditures:	
Convalescent care and clinics (see note at the end of the appropri- ations for department of health)	40,000.00
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*Total	\$115,755.00
*Less estimated revenue	115,755.00
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Net appropriation

0.00

Further amend said bill by striking out note at the end of the appropriations for the department of health and inserting in place thereof the following:

\* Note. This amount available for expenditure only if funds are available as a federal grant. If and when federal funds for all divisions of the department of health (exclusive of that for convalescent care and clinics the maternal and child health and crippled children's services) totalling \$213,110.00 shall be received, not exceeding \$40,000.00 federal funds received in excess thereof may be expended for said convalescent care and clinics for the division of maternal and child health and crippled children's services. Provided further that in any division of said department the excess in federal funds received over and above that required for expenditures for convalescent care and clinics, maternal and child health and crippled children may be expended with the approval of the governor and council for purposes hereinabove provided.

Further amend the appropriation for department of health by striking out the figures "759,428.55" for "Total for department of health: State" and insert the figures 722,178.55; by striking out the figures "243,110.00" for "Total for department of health: Federal" and insert the figures 253,110.00; by striking out the figures "243,110.00" for "Less estimated revenue" and insert the figures 253,110.00.

Amend the appropriation for state library by striking out under administration the figures "75,618.88" for "other per-



sonal services" and insert the figures 77,908.88; by striking out the figures "113,648.88" for "Total" and insert the figures 115,938.88; by striking out the figures "131,289.88" for "Total for state library" and insert the figures 133,579.88.

Amend the appropriation for state treasury by striking out the paragraph for "Bounties."

Amend the appropriation for the state sanatorium by striking out the paragraph for "Professional care and treatment" and inserting in place thereof the following:

Professional care and treatment:

Personal services	\$94,389.59
Current expenses	22,020.00
Equipment	2,275.00
	<hr/>
Total	118,684.59

Further amend the appropriation for the state sanatorium by striking out the paragraph "Maintenance of plant" and inserting in place thereof the following:

Maintenance of plant:

Personal services	\$1,200.00
Current expenses	3,000.00
Equipment	645.00
Other expenditures:	
Completion of toilet facilities	3,500.00
	<hr/>
Total	8,345.00

Further amend the appropriation for the state sanatorium by striking out the figures "302,339.36" for "Total for state sanatorium" and insert the figures 314,839.36; by striking out the figures "287,839.36" for "Net appropriation" and inserting the figures 300,339.36.

Amend the appropriation for board of education by striking out the paragraph for "Foundation aid" and inserting in place thereof the following:

Foundation aid:

State aid to school districts	\$1,200,000.00*
Transportation, board tuition	6,000.00
	<hr/>
Total	1,206,000.00

\*The area vocational schools established under the provisions of section 8 and 9 of chapter 204 of the Laws of 1945 (sections 8 and 9, chapter 188 RSA) are hereby abolished, provided that if the state board of education shall determine that the gradual abolishment of said area vocational schools is desirable it may transfer from the appropriation for state aid for school districts, a sum not exceeding fifty thousand dollars for the purpose of said area vocational schools for the fiscal year ending June 30, 1956.

Amend the appropriation for the bank commissioner by striking out the same and inserting in place thereof the following:

For bank commissioner:

Salary of commissioner	\$8,415.00
Salary of deputies (two)	12,573.00
Other personal services	57,733.03
Current expenses	5,612.00
Travel	9,700.00
Equipment	2,500.00
Other expenditures:	
Retirement	4,780.92

Total for bank commissioner	\$101,313.95
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*Less revenue	92,898.95
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Net appropriation	8,415.00
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\*The bank commissioner shall collect from the institutions the condition and management of which he is required to examine under the provisions of section 8 of chapter 307 of the Revised Laws, (section 9, chapter 383 RSA) as the cost of such examination, the sum of \$92,898.95 for fiscal year ending June 30, 1956, and each such institution shall pay to the state within thirty days after receipt by it of notice of assessment such proportion of the said stated sum so collectible as its assets bear to the total assets of all such institutions as shown by their reports to the bank commissioner as of the thirtieth day of June preceding such payments; provided, however, the sum to be paid by each such institution shall not be less than the following:

Savings bank or trust company	\$50
Building and loan association	\$25

Credit Union	\$15
Small loan licensee	\$10
Miscellaneous institution	\$25

and any amount collected under the provisions of this minimum assessment in excess of the stated assessment together with said stated assessment amounts shall be credited to the appropriation for the bank commissioner.

Amend the appropriation for planning and development commission by striking out the same and inserting in place thereof the following:

For planning and development commission:

Salary of executive director	\$7,837.50
Other personal services	99,109.95†
Current expenses	90,000.00†
Travel	8,750.00
Equipment	2,500.00
Other expenditures:	
Regional associations*	21,000.00
Eastern states exposition	8,000.00

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Total for planning and development commission	\$237,197.45
Less estimated revenue	1,200.00

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Net appropriation	235,997.45
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† Whenever the commission shall deem it necessary to employ a publicity writer it may do so and may transfer from current expenses to other personal services sufficient funds to cover the salary of such an employee.

\* This appropriation shall be administered by the state planning and development commission for the aid of regional development associations. Not more than \$3,500.00 may be allotted by the commission to any one regional association whose bounds, form of organization and program shall first have been approved by the commission. Any unexpended portion of this appropriation shall lapse and shall not be transferred to any other state appropriation.

Amend the appropriation for state tax commission by striking out the paragraph for "Tobacco products tax" and inserting in place thereof the following:

## Tobacco products tax:

Personal services	\$26,384.40
Current expenses	15,740.00
Travel	7,500.00
Equipment	225.00

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Total	49,849.40
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Amend the appropriation for fish and game department by striking out the paragraph for "Administration" and inserting in place thereof the following:

## Administration:

Salary of director	\$7,145.00
Other personal services	32,681.30§
Current expenses	25,550.00
Travel	1,200.00
Equipment	1,335.00

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Total	67,911.30
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§ The classified position of assistant to the fish and game director is hereby abolished and no part of the funds accruing to the fish and game department shall be hereafter expended for the establishment of such a position.

Further amend the appropriation for fish and game department by striking out the paragraph for "Bounties" and inserting in place thereof the following:

## Bounties:

## Other expenditures:

Bobcat bounties	7,000.00
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Further amend the appropriation for fish and game department by striking out the figures "1,080,681.52" for "Total for fish and game department" and insert the figures 1,059,502.-26; by striking out the figures "1,080,681.52" for "Less revenue and balance" and insert the figures 1,059,502.26.

Further amend the appropriation for fish and game department by adding at the end of said appropriation the following:

In addition to the above appropriation the fish and game department shall receive for disbursement any unexpended balances from previous years. Said additional amounts appro-

priated hereunder shall be expended under the direction of the fish and game commission, with the approval of the governor and council.

Amend the figures for "Total net appropriation" for section 1 of the bill by striking out "16,954,739.74" and inserting in place thereof the figures 16,958,021.24.

Amend section 4 of said bill by striking out said section and inserting in place thereof the following:

4. *Hilton Park.* Amend section 3 of chapter 124 of the Laws of 1937 as amended by section 6, chapter 173, Laws of 1945, by striking out said section and inserting in place thereof the following: 3. *Administration.* The Soldiers' Memorial Parks, also known as Hilton State Park, shall be administered by the department of public works and highways as a free public park. The cost of operation and maintenance of said park shall be a charge upon the highway funds.

Reading of the amendment having commenced, on motion of Mr. Scamman of Stratham, further reading was dispensed with.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Messrs. Scamman of Stratham, Pillsbury of Manchester, Pickett of Keene, Malley of Somersworth, and Cole of Lebanon discussed the budget as amended.

Mr. Vaughan of Newport offered the following amendment:

To amend the second paragraph of the footnote on page 71 of House Bill No. 529 for the school year ending June 30, 1956, by striking out in line 6 the words "for the same number of personnel and," and inserting after "1954-1955" in line 7 the following: All helping teacher positions hereinafter established shall be only after a majority vote in a majority of the school districts in the supervisory union requesting the establishment of the position of helping teacher at their respective annual school district meetings. Further amend said footnote by striking out the remainder of the paragraph after the words, "year 1954-1955," in line 7, so that said paragraph as amended shall read as follows:



In addition to the above appropriation said department shall receive for disbursement sums paid by school districts for the additional salaries of superintendents, assistant superintendents and helping teachers, under the provisions of section 44, chapter 135, Revised Laws (section 44, chapter 189, RSA). The appropriation to cover the state's share for personal services for state-wide supervision is at the same rates of compensation as for the fiscal year 1954-1955. All helping teacher positions hereinafter established shall be only after a majority vote in a majority of the school districts in the supervisory union requesting the establishment of the position of helping teacher at their respective annual school district meetings.

The question being on the amendment.

(Discussion ensued)

Messrs. Vaughan of Newport and Scamman of Stratham spoke in favor of the amendment.

Messrs. Pillsbury of Manchester, Malley of Somersworth, and Mrs. Atwood of Sanbornton spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Pickett of Keene offered the following amendment:

Amend the second paragraph of the footnote on page 71 of the printed bill by striking out after the word "colleges" in the third and fourth lines the words, dormitories and practice schools, and revenue from tuitions received, so that said paragraph as amended shall read as follows:

In addition to the above appropriation said department shall receive for disbursement any excess over estimates in the income of the teachers colleges, the Manchester and Portsmouth technical institutes. No teachers colleges, and no funds out of this appropriation or any other available funds shall be used for this purpose.

The question being on the amendment.

(Discussion ensued)

Mr. Pickett of Keene and Mrs. Brungot of Berlin spoke in favor of the amendment.

Messrs. Scamman of Stratham, Pillsbury of Manchester, and Malley of Somersworth spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

Mr. Pickett of Keene demanded the yeas and nays, and the roll was called with the following result:

### Yeas — 61

CHESHIRE COUNTY: Haley, Kirk, Brown of Keene, Pickett, Waling, Brown of Marlow, Terrell, Bouvier, Lang of Troy, Rhodes, Thompson.

SULLIVAN COUNTY: Vaughan of Newport.

GRAFTON COUNTY: Bradley.

COOS COUNTY: Roy, Brungot, Christiansen, Bouchard, Fontaine, Gagnon, Ross, Potter, Annis, Bushey.

ROCKINGHAM COUNTY: Blair, Barrett, Dondero, Sadler, Ingraham.

STRAFFORD COUNTY: Webb, Stearns, Nadeau, Carignan, Lacasse.

BELKNAP COUNTY: None.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Baron, Dowd, Kenney, Charland, Dempsey, Carpenter, DuDevoir.

HILLSBOROUGH COUNTY: Black, Dwyer, Kean, Healy of Manchester, Ward 5, Walsh, Casey, Healy of Manchester, Ward 6, Slowey, Delisle, Lavoie, Constant, Cary, Bergeron, Schricker, Hurley, Falconer, Thibault of Nashua, Trombley, Brosnahan, Dionne of Nashua, Bouthillier.

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CHESHIRE COUNTY: Thomas, Smith of Hinsdale, Perry, Spofford, McCullough, Wheeler, Bennett, Coddington, Faulkner, Carlton, Sherwin, Billings, Ingham.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Bloomfield, Howe, Bissonett, Firestone, Millar, Stone, Davis of Cornish, Nelson of Goshen, Reney, Bailey, Roe, Rowell, Pierce, Gamsby.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Plumer, Sanborn, Campion, Hayward, Holden, Larty, Chamberlain of Holderness, Adams, Ashley, Cole, Townsend, Collyer, Gardner of Littleton, Kelley, Martin, Frazer, Talbot, Carr, Bell, Huckins.

COOS COUNTY: Fortier, Sheridan, Rines, Alls, Hurlbert, Ferguson, Cornelius, Simonds, Converse, Baker, Stinson, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Persson, Shattuck, Fogg, Barka, Bisbee, Clarke of Derry, Nickerson of East Kingston, Eastman of Exeter, Eldredge, Merrill, Rathbone, Jones of Fremont, Weeks of Greenland, Spollett, Parmenter, Cheney, Carter, Palmer, Murch, Quirk, Travis, Joyce, Wardwell, Munz, Mafera, Philbrick, Haigh, Willis (Anna), Willis (Howard), Pillsbury of Sandown, Felch, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Moher, Felker, Connell, Crandall, Pearson, Littlehale, Chadbourn, Wentworth, Evans, Rolfe, Dustin, St. Pierre, Studley, Clement of Rochester, Estes, Green, Maloomian, Letourneau, Cormier, Beamis, Malley, Brown of Strafford.

BELKNAP COUNTY: Skinner, McAllister, Gardner of Gilford, Robertson, Hart, Rogers, Morin, Simoneau, Tilton, Ballentine, Burbank, Varrell, Miner, Simth of Meredith, Urie, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Downs, Roberts, Stokes, Nickerson of Madison, Lamprey, Hayden, Remick, Hodgdon, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Ellsworth, Vaughn of Bow, Vogel, Ferrin, Davis of Concord, Henry, Hancock, Shea of Concord, Lessels, Corbett, Rainie, Cilley, Maxham, Walker, Nutter, Broadhurst, Burke, Mason, Mulaire, Davis of Hopkinton, Brown of Loudon, Milligan, Gay of New London, Wilman, Ayer of Pittsfield, Young, Lovejoy, Bigelow, Bean, Workman.

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Farwell, Herrick, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Fortin, Hadley, Goodwin, Abbott, Burgess, Lang of Manchester, Pettigrew, Soucy of Manchester, Ward 1, Danforth, Mahony of Manchester, Pillsbury of Manchester, Robb, Hayes, Horan, Sullivan, Fitzgerald, Nolan, Betley, Smith of Manchester, Ecker, Corey, Tessier, Langlois, Morris, Auger, Donnelly, Gamache, Peaslee of Merrimack, Deans, Cummings, Peterson, Ramsdell, Saunders, Boire, Belcourt, Maynard, Shea of Nashua, Chartrain, Ryan, Dugas,

Dutilly, Grandmaison, Langelier, Dumais, Locke, Dutton, Eastman of Weare, Bardol.

And the amendment was not adopted, and the bill ordered to a third reading.

Mrs. Goodwin of Hollis, for the Committee on Appropriations, to whom was referred House Bill No. 530, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1957, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill as follows:

Amend paragraph relative to the legislative branch as follows:

Strike out the figures "3,000.00" for "Legislative council" and insert the figures 1,500.00; strike out the figures "280,500.00" for "Total for legislative branch" and insert the figures 279,000.00.

Amend the appropriation for the adjutant general's department as follows:

Strike out the figures "68,738.50" for "Personal services" under "Armories" and insert the figures 71,028.50; strike out the figures "151,238.50" for "Total" under "Armories" and insert the figures 153,528.50; strike out the figures "299,556.83" for "Total for adjutant general's department" and insert the figures 301,846.83; strike out the figures "260,234.33" for "Net appropriation" and insert the figures 262,524.33.

Amend the appropriation for the department of agriculture by inserting after the paragraph for insect and plant disease control the following new paragraph:

Milk control:

Personal services	\$11,318.17
Current expenses	2,680.00
Travel	1,600.00
Equipment	1,287.50

Total	\$16,885.67
Less estimated revenue	16,885.67

Net appropriation

0.00

Further amend the appropriation for the department of agriculture by striking out the paragraph "Economic poisons law" and inserting in place thereof the following:

Economic poisons law:

Current expenses	\$300.00
Travel	1,200.00
Other expenditures:	
Temporary and professional services	1,500.00

Total	\$3,000.00
Less estimated revenue	3,000.00

Net appropriation	0.00
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Further amend the appropriation for the department of agriculture by striking out the figures "300.00" for the "Board of veterinary examiners" and insert the figures 425.00; by striking out the figures "323,956.57" for "Total for department of agriculture" and insert the figures 324,081.57.

Amend the appropriation for the department of health by striking out the paragraph for "Hospital services: federal" and inserting in place thereof the following:

Hospital services: federal

Personal services	\$3,670.00‡
Current expenses	340.00
Travel	1,000.00

*Total	\$5,010.00
*Less estimated revenue	5,010.00

Net appropriation	0.00
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‡ In case federal funds are not available in the amount estimated the department is authorized to transfer from state funds for personal services in other divisions to this account.

Further amend the appropriation for the department of health by striking out the paragraph for "Communicable disease control: state" and inserting in place thereof the following:

Communicable disease control: state

Personal services	\$41,236.50
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Current expenses	7,000.00	
Travel	1,500.00	
		<hr/>
Total		49,736.50

Further amend the appropriation for the department of health by striking out the paragraph for "Maternal and child health and crippled children's services: state" and inserting in place thereof the following:

Maternal and child health and crippled  
children's services: state

Personal services	\$21,256.50
Current expenses	35,000.00
Travel	400.00
Other expenditures:	
Convalescent care and clinics	60,000.00

Total	116,656.50
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Further amend the appropriation for the department of health by striking out the paragraph for "Maternal and child health and crippled children's services: federal" and inserting in place thereof the following:

Maternal and child health and crippled  
children's services: federal

Personal services	\$14,980.00
Current expenses	58,775.00
Travel	2,000.00
Other expenditures:	

    Convalescent care and clinics (see  
    note at the end of the appro-  
    priations for department of  
    health)

40,000.00

*Total	\$115,755.00
*Less estimated revenue	115,755.00

Net appropriation	0.00
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Further amend said bill by striking out note at the end of the appropriations for the department of health and inserting in place thereof the following:

\* Note. This amount available for expenditure only if

funds are available as a federal grant. If and when federal funds for all divisions of the department of health (exclusive of that for convalescent care and clinics, the maternal and child health and crippled children's services) totalling \$211,337.50 shall be received, not exceeding \$40,000.00 federal funds received in excess thereof may be expended for said convalescent care and clinics for the division of maternal and child health and crippled children's services. Provided further that in any division of said department the excess in federal funds received over and above that required for expenditures for convalescent care and clinics, maternal and child health and crippled children may be expended with the approval of the governor and council for purposes hereinabove provided.

Further amend the appropriation for department of health by striking out the figures "761,819.15" for "Total for department of health: state" and insert the figures 643,819.15; by striking out the figures "241,337.50" for "Total for department of health: federal" and insert the figures 251,337.50; by striking out the figures "241,337.50" for "Less estimated revenue" and insert the figures 251,337.50.

Amend the appropriation for state library by striking out under administration the figures "77,973.58" for "other personal services" and insert the figures 80,353.58; by striking out the figures "118,333.58" for "Total" and insert the figures 120,713.58; by striking out the figures "136,813.58" for "Total for state library" and insert the figures 139,193.58.

Amend the appropriation for state treasury by striking out the paragraph for "Bounties".

Amend the appropriation for the state sanatorium by striking out the paragraph for "Administration" and inserting in place thereof the following:

Administration:

Salary of superintendent	\$8,175.00
Other personal services	11,853.05
Current expenses	1,720.00
Travel	1,350.00
Equipment	575.00

Total

23,673.05

Further amend the appropriation for the state sanatorium by striking out the paragraph for "Professional care and treatment" and inserting in place thereof the following:

Professional care and treatment:

Personal services	\$103,991.82	
Current expenses	22,020.00	
Equipment	1,635.00	
Other expenditures:		
Other hospitalization —		
board and care	30,000.00	
<b>Total</b>		<b>157,646.82</b>

Further amend the appropriation for the state sanatorium by striking out the paragraph for "Custodial care" and inserting in place thereof the following:

Custodial care:

Personal services	\$56,759.82	
Current expenses	45,725.00*	
Equipment	205.00	
<b>Total</b>		<b>102,689.82</b>

Further amend the appropriation for the state sanatorium by striking out the figures "300,771.97" for "Total for state sanatorium" and insert the figures 352,901.97; by striking out the figures "286,271.97" for "Net appropriation" and insert the figures 338,401.97.

Amend the appropriation for board of education by striking out the paragraph for "Foundation aid" and inserting in place thereof the following:

Foundation aid:

State aid to school districts	1,200,000.00\$	
Transportation, board, tuition	6,000.00	
<b>Total</b>		<b>1,206,000.00</b>

§ If the state board of education has determined for the fiscal year ending June 30, 1956, to continue a partial use of area vocational schools and has transferred from the funds for state aid for school districts during said fiscal year certain funds for said purposes, it may for the fiscal year ending June 30, 1957, transfer from the appropriation for state aid for

school districts a sum not exceeding thirty thousand dollars for the purposes of said area vocational schools. In case such area schools are continued under the authority hereof no further state funds shall be expended for said purposes after June 30, 1957.

Amend the appropriation for the bank commissioner by striking out the same and inserting in place thereof the following:

For bank commissioner:

Salary of commissioner	\$8,640.00
Salary of deputies (two)	12,920.00
Other personal services	61,833.43
Current expenses	5,637.00
Travel	9,700.00
Equipment	900.00
Other expenditures:	
Retirement	5,104.28

Total for bank commissioner	\$104,734.71
*Less revenue	96,094.71

Net appropriation	8,640.00
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\* The bank commissioner shall collect from the institutions the condition and management of which he is required to examine under the provisions of section 8 of chapter 307 of the Revised Laws, (section 9, chapter 383 RSA) as the cost of such examination, the sum of \$96,094.71 for fiscal year ending June 30, 1957, and each such institution shall pay to the state within thirty days after receipt by it of notice of assessment such proportion of the said stated sum so collectible as its assets bear to the total assets of all such institutions as shown by their reports to the bank commissioner as of the thirtieth day of June preceding such payments; however, the sum to be paid by each such institution shall not be less than the following:

Savings bank or trust company	\$50
Building and loan association	\$25
Credit Union	\$15
Small loan licensee	\$10
Miscellaneous institution	\$25

and any amount collected under the provisions of this minimum assessment in excess of the state assessment together

with said stated assessment amounts shall be credited to the appropriation for the bank commissioner.

Amend the appropriation for planning and development commission by striking out the same and inserting in place thereof the following:

For planning and development commission:

Salary of executive director	\$8,062.50
Other personal services	100,937.50†
Current expenses	90,000.00†
Travel	8,750.00
Equipment	1,252.15
Other expenditures:	
Regional associations*	21,000.00
Eastern states exposition	8,000.00

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Total for planning and development commission	\$238,002.15
Less estimated revenue	1,200.00

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Net appropriation	236,802.15
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† Whenever the commission shall deem it necessary to employ a publicity writer it may do so and may transfer from current expenses to other personal services sufficient funds to cover the salary of such an employee.

\* This appropriation shall be administered by the state planning and development commission for the aid of regional development associations. Not more than \$3,500.00 may be allotted by the commission to any one regional association whose bounds, form of organization and program shall first have been approved by the commission. Any unexpended portion of this appropriation shall lapse and shall not be transferred to any other state appropriation.

Amend the appropriation for fish and game department by striking out the paragraph for "Administration" and inserting in place thereof the following:

Administration:

Salary of director	\$7,340.00
Other personal services	33,164.80
Current expenses	25,050.00



Travel	1,200.00
Equipment	2,635.00
	<hr/>
Total	69,389.80

Further amend the appropriation for fish and game department by striking out the paragraph for "Bounties" and inserting in place thereof the following:

Bounties:

Other expenditures:

Bobcat bounties	7,000.00
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Further amend the appropriation for fish and game department by striking out the figures "1,039,838.96" for "Total for fish and game department" and insert the figures 1,018,370.80; by striking out the figures "1,039,838.96" for "Less revenue and balance" and insert the figures 1,018,370.80.

Further amend the appropriation for fish and game department by adding at the end of said appropriation the following:

In addition to the above appropriation the fish and game department shall receive for disbursement any unexpended balances from previous years. Said additional amounts appropriated hereunder shall be expended under the direction of the fish and game commission, with the approval of the governor and council.

Amend the figures for "Total net appropriation" for section 1 of the bill by striking out "17,255,054.18" and inserting in place thereof the figures 17,210,873.23.

Reading of the amendment having commenced, on motion of Mr. Scamman of Stratham, further reading was dispensed with.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

The question being, Shall the bill be read a third time?

Mrs. Brungot of Berlin spoke against the question.

On a *viva voce* vote the motion prevailed and the bill was ordered to a third reading.

Mr. Vaughan of Newport, for the Committee on Education, to whom was referred House Bill No. 271, An Act to

equalize educational opportunities and to improve the public elementary and high schools of New Hampshire, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *State Aid.* Amend sections 8, 9, 9-a, 10, 11, 12 and 13 of chapter 140 of the Revised Laws, as amended by chapter 198 of the Laws of 1947 and chapter 148 of the Laws of 1951, (chapter 198, RSA) by striking out said sections and inserting in place thereof the following:

8. *Declaration of Policy.* It is hereby declared to be the policy of the State of New Hampshire to share in the costs of public elementary and high school education of the local school districts of the state to the end that: (1) the more needy school districts may be assisted in providing an adequate education program; (2) education throughout New Hampshire may be improved; and (3) assistance and incentives may be provided for the formation of cooperative school districts.

9. *State Aid.* To aid needy local school districts in meeting the costs of providing public elementary and high school education the state board of education shall, from funds appropriated by the General Court to carry out the provisions of this act, pay annually to the needy school districts of the state sums in accordance with the provisions of this act.

10. *Kind of State Aid.* To carry out the provisions of sections 8 and 9, aid termed "Foundation Aid" is hereby adopted as follows:

a. *Foundation Aid.* To more nearly provide equal public school educational opportunity throughout the state, each school district qualifying therefor shall receive annually an amount equal to the remaining costs of the required programs of public elementary and high school education over and above the proceeds of a tax of fourteen dollars per thousand dollars of equalized valuation (hereinafter called the "Local Effort") of each district. As may be required to carry out the purposes of this act and to equitably distribute sums appropriated for foundation aid, the local effort shall be subject to adjustment annually by the state board of education, prior to the com-

putation of foundation aid. For the purpose of this act the cost of the required programs shall be two hundred dollars annually for each elementary school pupil and three hundred dollars annually for each high school pupil in average daily membership in approved public schools.

If a district receives from local taxation for school purposes during the fiscal year previous to the year of computation of foundation aid a sum less than the amount of the local effort required of that district, its foundation aid shall be reduced by an amount equal to the difference between the local effort and the amount received from local taxation for school purposes.

b. *Time of Computation.* Between October first and December thirty-first in each year the state board of education shall cause to be computed the amount of foundation aid to be paid to eligible school districts in the succeeding fiscal year. The computation shall be based upon the most recently available equalized valuation of each school district and the average daily membership in approved public schools in each school district for the preceding year. Whenever it shall appear or be made to appear to the tax commission that circumstances have so changed in any school district from one year to another that the use of the most recently available equalized valuation is unfair, unjust or inequitable, the tax commission shall determine what changes or modifications shall be made in the equalized valuation of such district. The tax commission shall certify such changed equalized valuation to the state board of education by October first. The state board of education shall use such changed equalized valuation in computing the foundation aid to which such district is entitled.

c. *To Whom Paid.* Foundation aid shall be paid to the school district legally responsible for the education of the pupils who attend approved public schools within the district or in other districts, as the case may be. Payment of foundation aid shall be made on or before January fifteenth in the fiscal year for which such aid is due.

11. *Allocation and Proration of Funds.* If in any year the amount appropriated for distribution as foundation aid shall be insufficient to distribute foundation aid in accordance with the provisions of section 10-a, the state board of educa-

tion shall reduce by proration the amount of foundation aid to be paid to each school district qualifying therefor.

12. *Unexpended Appropriation.* Any amounts not distributed in the first year of any biennium may be distributed in the second year, if required to distribute the maximum amount permissible under the provisions of Section 10.

13. *Equalized Valuation.* The equalized valuation of a school district is the equalized valuation of the city or town of which it is composed, as computed by the state tax commission; and in a city or town comprising more than one school district the equalized valuation of any school district shall be such fraction of the equalized valuation of the whole city or town as the assessed valuation of the school district is of the assessed valuation of the whole city or town.

2. *Appropriation.* There is hereby appropriated for the purposes of this act for the fiscal year ending June 30, 1956, the sum of one million two hundred thousand dollars and for the year ending June 30, 1957, the sum of one million two hundred thousand dollars.

3. *Takes Effect.* This act shall take effect as of July 1, 1955.

Reading of the amendment having commenced, on motion of Mr. Vaughan of Newport further reading was dispensed with.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill referred to the Committee on Appropriations, under the rules.

Miss Collyer of Lisbon, for the Committee on Labor, to whom was referred House Bill No. 459, An Act relative to unemployment compensation successorship merit rating for public utilities, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Unemployment Compensation.* Amend subsection E,

section 6, chapter 218 of the Revised Laws, as inserted by section 16, chapter 138, Laws of 1945, section 6, chapter 36, Laws of 1951 and section 14, chapter 141, Laws of 1955, by striking out said subsection and inserting in place thereof the following:

E. *Successorship*. (1) For the purposes of subsection D of this section, an employing unit which acquires the organization, trade, or business, or substantially all of the assets thereof, of any employer, excepting, in any such case, any assets retained by such employer incident to the liquidation of his obligations (whether or not such acquiring employing unit was an employing unit within the meaning of section 1-G of this chapter prior to such acquisition), and who intends to continue such organization, trade or business, immediately shall notify the director thereof, and shall assume, for the purpose of liability, the position of such employer with respect to such employer's separate account, actual contribution and benefit experience and annual pay rolls, as if no change with respect to such separate account, actual experience and pay rolls had occurred and with the same effect for such purpose as if the operations of such employer had at all times been carried on by such employing unit. Such separate account shall be transferred by the director to such employing unit and, as of the date of such acquisition, shall become the separate account or part of the separate account, as the case may be, of such employing unit, and the benefits thereafter chargeable to such employer on account of employment prior to the date of such acquisition shall be charged to the former employer's separate account until the fact of successorship is determined by the director and thereafter shall be charged to the account of the acquiring employing unit.

(2) Notwithstanding the provisions of subsection H of section 1 and section 7 of this chapter, any employer whose entire separate account has been transferred to a successor employer, as provided in paragraph (1) of this subsection, shall immediately cease to be an employer subject to this chapter and shall thereafter become an employer in accordance with the provisions of section 1-H, only upon his future employment experience.

(3) Whenever an employer in any manner transfers a



clearly segregable unit (segregable unit shall mean a distinct and severable portion of an employer's business) of his business, and for which segregable unit the transferring employer has maintained, in such form as to be separable, continuous records of wages, contributions and benefits paid on account of such segregable unit, the actual contribution, benefit, and pay roll experience attributable to such segregable unit, and only such experience, shall be transferred to the successor provided the successor intends to continue such business, pursuant to such regulations as may be prescribed by the director. The successor shall stand in the position of the transferring employer for all purposes, including liability, as to that portion of the separate account transferred, as if no change with respect thereto had occurred and with the same effect and for such purposes as if the operations of such segregable unit had at all times been carried on by the successor. Computations of contribution rates in such cases shall be as follows:

(a) The director shall immediately recompute the contribution rate of the transferring employer, and in the event that a different rate is established, such shall be effective on all taxable wages paid following the date of transfer.

(b) If the successor was an employer at the time of such acquisition, the director shall immediately recompute the contribution rate of the successor, and in the event that a different rate is established, such shall be effective on all taxable wages paid following the date of acquisition.

(c) If the successor was not an employer at the time of such acquisition, the actual contribution, benefit, and pay roll experience of the segregable unit shall be transferred to the successor and shall be used by the director to compute the contribution rate effective on all taxable wages paid following the date of acquisition.

(4) No transfer of experience under paragraph (3) above, where the transfer of the segregable unit to the successor occurs prior to the effective date of the paragraph, shall be made unless a written application requesting transfer of the experience under paragraph (3) above and for computation of contribution rate under (3) (a), (b) or (c) is filed with the director within thirty days of the effective date of paragraph (3). No transfer of experience shall be made where the

acquisition by the successor occurred more than one year prior to the effective date of this subsection.

(5) Where the transfer of a segregable unit occurs after the effective date of paragraph (3), written application for transfer of experience under paragraph (3) above and for computation of contribution rate under (3) (a), (b) or (c) shall be filed with the director within thirty days of the date of the transfer of the segregable unit.

(6) No rate of less than 2.7 per centum shall be permitted an employing unit succeeding to the experience of another employing unit pursuant to this subsection for any period subsequent to such succession except in accordance with regulations prescribed by the director, which regulations shall be consistent with federal requirements for additional credit allowance in section 1602 of the Internal Revenue Code, and consistent with the provisions of this chapter, except that such regulations may establish a computation date for any such period different from the computation date generally prescribed by this chapter.

Reading of the amendment having commenced, on motion of Miss Collyer of Lisbon, further reading was dispensed with.

The report was accepted.

A Minority of the Committee, to whom was referred House Bill No. 459, An Act relative to unemployment compensation successorship merit rating for public utilities, was offered by Messrs. Fortin of Greenville, Jones of Fremont, Comi of Concord and Kenney of Franklin.

On motion of Mr. Lavoie of Manchester, reading of the amendment was dispensed with.

Mr. Pillsbury of Manchester rose on a point of parliamentary inquiry as follows: May a minority report be accepted wherein it contains a question that has already been indefinitely postponed by House action?

### Speaker's Ruling

The Chair ruled that the minority report under consideration was not in order because it contained an amendment which was in violation of Rule No. 26, which the Chair read.

Mr. Lavoie of Manchester thereupon asked for unanimous consent, under Rule No. 26, to allow the minority report to be accepted.

Mr. Angus of Claremont objected.

### Speaker's Ruling

The Chair thereupon declared the minority report not acceptable to the House.

Mr. Lavoie of Manchester moved that House Bill No. 459 be made a Special Order for Wednesday, June 29, at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Messrs. Angus of Claremont and Pillsbury of Manchester spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Lavoie of Manchester asked on a point of information whether or not it was in order at the present time to substitute the minority report for that of the majority.

### Speaker's Ruling

The Chair ruled that such a motion was not in order because the amendment in the minority report brought forward again the same question which previously had been postponed indefinitely.

The question being, Shall the bill be read a third time?

On a *viva voce* vote the bill was ordered to a third reading.

On motion of Mr. Pillsbury of Manchester the rules were suspended to allow the third reading and final passage, by title only, at the present time, of House Bill No. 459.

House Bill No. 459, An Act relative to unemployment compensation successorship merit rating for public utilities, was read a third time and passed and sent to the Senate for concurrence.

### Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it passed House Bill No. 459, An Act

relative to unemployment compensation successorship merit rating for public utilities.

On a *viva voce* vote the motion did not prevail.

### Personal Privilege

Mr. Pillsbury of Manchester rose on a point of personal privilege.

Mr. Black of Bennington, for the Committee on Public Welfare and State Institutions, to whom was referred House Bill No. 440, An Act relative to the Laconia state school, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Laconia State School.* Amend chapter 129 of the Revised Laws, as amended by chapters 99 and 229, Laws 1953, by striking out said chapter and inserting in place thereof the following new chapter:

### Chapter 129

#### Laconia State School and Colony

1. *State School and Colony.* The state shall maintain a school and colony for the care and instruction of the mentally deficient who hereby are defined as follows: those who, because of mental defect existing from birth or from an early age, are incapable of profiting from ordinary schooling and/or incapable of managing themselves and their affairs with ordinary prudence. This school shall be known as the Laconia State School and Colony.

2. *Trustees' Powers.* The trustees shall have the general management and supervision of said school and colony, and once each month shall hold a meeting thereat. They shall have power to administer all rules and regulations as to admission to, and for the government and control of, said institution and its children, and to do everything necessary to properly care for and educate the mentally deficient persons of the state.

3. *Superintendent.* The trustees shall, subject to the approval of the governor and council, appoint a superintendent of the school.

4. *Superintendent's Duties.* The superintendent, subject to the control of the trustees, shall have charge of the lands, buildings, furniture, tools, implements, stock, provisions, and other property of the institution. He shall keep, in suitable books, regular and complete accounts of all his receipts and expenditures, and of the debts, credits, contracts, and property of the institution, showing its income and expenses, and shall account to the trustees annually, and at such other times as they may require, for all money received and paid out by him. Such accounts shall be specific, containing the dates and amounts of all receipts, and the date, quantity and price of every article purchased or procured. There is specifically excepted from the foregoing such accounts and accountability as is required otherwise by the department of administration and control. The superintendent shall be a constant resident at the institution, and he and subordinate officers of the school and colony, under his direction, shall have the custody and charge of the persons therein, shall discipline, govern, instruct, and employ them, and shall use their best endeavors to preserve their health, promote their improvement in such studies, trades, and employments as may be suited to their ages and capacities, and to secure the formation of moral, religious and industrious habits. The superintendent shall appoint a deputy superintendent from among the employees of the school and colony. This deputy superintendent shall serve in such capacity at the discretion of the superintendent; he shall reside at the school and colony; and, while serving as deputy superintendent, he and his family shall receive maintenance and lodgings. The deputy superintendent shall perform such duties as may be assigned to him by the superintendent, and, in the absence of the superintendent, shall perform all the duties of the superintendent.

5. *Detention.* Mentally deficient persons, legally received into said school and colony, shall be detained in custody, regardless of age or length of residence, if, in the judgment of the board of trustees, their segregation is for the best interest of the person concerned and of the public.

6. *State Charges.* All indigent mentally deficient persons in this state may be received as state wards.

7. *Non-residents.* Mentally deficient persons, residents



of other states, may be received into said school and colony provided there is space available without excluding resident persons found to be fit subjects for said school and colony. Expenses for said non-resident persons shall be borne by the state of residence or any political sub-division thereof, or by persons legally chargeable with their support.

8. *Change of Residence.* If the residence of the parent or guardian of any person of the Laconia state school and colony is changed to another state, the board of trustees may negotiate with officials of the other state for a transfer of said person to the state of residence of the said parent or guardian. The trustees may also enter into agreements, reciprocal in nature, to accept transfers from like institutions of other states, resident mentally retarded persons whose parent or guardian has established a legal residence in this state.

9. *Order of Admissions.* Prior consideration shall be given to applicants already supported at public expense.

10. *Commitment and Transfer.* Mentally deficient persons may, with the approval of the trustees and superintendent of said school and colony, be transferred from the state hospital by its superintendent to said school and colony.

11. *Criminalistic, Incurable, or Disturbed Defectives.* Whenever any person of the Laconia State School and Colony demonstrates, in the opinion of the Trustees thereof, continuing criminalistic or incurable tendencies so that his continued confinement therein is detrimental to others, such criminalistic, incurable or disturbed defective person shall be committed to such other suitable institution, including the state hospital, within or without the state of New Hampshire, as the superior court shall order, upon due presentation by the trustees.

12. *Expenses.* The provisions of sections 34, 35, 36, 37 and 38 of chapter 464 of the Revised Laws shall apply to the care and custody of such criminalistic or incurable defectives when in the opinion of the superior court no suitable institution for their continued confinement exists within the state of New Hampshire.

### Committal by Court

13. *Application.* All applications for the committal of any person to the Laconia State School and Colony shall be filed with the probate judge of the county of residence. Upon receipt of such application, the judge of probate shall refer such child to the mental hygiene clinic, or a suitable and adequate agency approved by the mental hygiene clinic, for study, report and recommendation prior to hearing. Upon the finding that such person is a suitable subject for said institution, such person may, with the approval of the trustees and superintendent of said school and colony, be committed to said school and colony by an order of commitment directed to the superintendent, accompanied by a certified copy of the report prepared and executed by said clinic.

14. *Warrant; Return.* The register shall issue a warrant in duplicate, commanding such suitable person as the judge shall select to deliver the person ordered to be committed to the superintendent of said school and colony. The agent shall endorse upon each copy that he has delivered the person so ordered, and the superintendent shall endorse upon each copy a receipt naming the agent from whom the person was received. One copy of the warrant so endorsed shall be returned to the court and filed with the commitment papers and the other copy shall be left with the superintendent. No male person, other than the husband or father, shall act as such agent for the commitment of a female unless accompanied by a responsible woman of mature age.

15. *Delinquents.* Defective delinquent persons having criminal records or criminalistic or incorrigible tendencies of such nature as to make their presence in said school and colony detrimental to the other inmates shall not be committed there, but may at the discretion of the judge of probate be detained pending proceedings for commitment to some other institution suited to their care.

16. *Fee.* Whenever, upon such application, there is occasion for a special session the judge of probate shall be allowed the legal fee and his expenses, to be paid by the county treasurer upon the certificate of the county commissioners.

17. *Placement.* The trustees may permit any person of the school to leave the institution on placement or change the

conditions on which it is granted. They shall cause an investigation to be made prior to the granting of such placement, as to the home into which such person is to go if placed, and other conditions and circumstances which may affect his or her welfare and behavior, and shall provide such supervision of placed persons as may be deemed necessary for their welfare. The trustees may revoke the placement and order the return of the person to whom it has been granted. No length of absence or placement shall operate as a discharge from the school and colony.

18. *Discharge.* Any person of the school and colony may be discharged by any quorum of the trustees, or by a justice of the superior court, whenever a further detention at the school is in their opinion unnecessary; but any person so discharged who was under sentence of imprisonment at the time of his commitment, the period of which shall not have expired, shall be remanded to prison. The superintendent shall file with the state board of health the names of persons discharged from said school and colony as provided in chapter 338, section 14.

19. *Escapes.* If any person shall escape from said school and colony, it shall be the duty of the superintendent and his assistants, and of any police officer, sheriff, or deputy sheriff to take and detain such person without a warrant and return him forthwith to said school and colony. All reasonable expense for such detention and return shall be borne by said school and colony.

2. *Repeal.* Section 15, chapter 132 of the Revised Laws, relative to commitment of children to the state hospital or Laconia State School, is hereby repealed.

3. *Takes Effect.* This act shall take effect upon its passage.

Reading of the amendment having commenced, on motion of Mr. Black of Bennington, further reading was dispensed with.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Skinner of Alton, for the Committee on Resources, Recreation and Development, to whom was referred House Bill No. 113, An Act to provide additional accommodations on public recreational areas, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill referred to the Committee on Appropriations, under the rules.

On motion of Mr. Scamman of Stratham, the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

### **Report of the Committee To Study Public Works Laws**

The Special Committee, to whom was referred the study of the Public Works Laws, having considered the same, reported the same with the following recommendations:

That the Public Works Laws be amended as suggested by the attached report to be printed as a supplement to the Journal for the members of the House and that it be submitted to the drafting division of the Attorney General's office to be drawn up and introduced as new legislation in the 1957 session of the legislature.

SHELBY O. WALKER, Chairman,  
DAVID J. BRADLEY, Clerk,  
JAMES MALLEY,  
LAURENCE PICKETT,  
MARION ATWOOD,  
NATHANIEL DAVIS,  
T. CASEY MOHER.

On motion of Mr. Walker of Concord, the report was accepted.

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 249, An Act relative to the New Hampshire shore and beach preservation commission, having considered the same, reported the same, under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the New Hampshire shore and beach preservation commission and Kingston state park.

The report was accepted.

On motion of Mr. Rainie of Concord the amendment proposed by the Committee on Engrossed Bills was adopted.

The bill was sent to the Senate for concurrence.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 32, An Act relative to the sale of narcotics to minors, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the first seven lines of section 1 and inserting in place thereof the following:

1. *Narcotics*. Amend chapter 256 of the Revised Laws (chapter 318, RSA) by inserting after section 50 as amended by section 4, chapter 258, Laws of 1947, and section 7, chapter 224, Laws of 1951, the following new section: 50-a. *Penalty, Sale to Minors*. Any person who shall violate the provisions of section 50 of this chapter by selling, exchanging, delivering, exposing for sale, giving away, or having in his possession or custody with intent to sell, exchange, deliver or give away *any narcotic drug* to a minor shall be imprisoned

The report was accepted.

On motion of Mr. Faulkner of Keene the amendment proposed by the Committee on Engrossed Bills was adopted.

The bill was sent to the Senate for concurrence.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 189, An Act relating to the placing of fill in great ponds, having considered the same, reported the same, under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following:

1. *Public Waters*. Amend chapter 266 of the Revised Laws (chapter 482, RSA) by inserting after section 28, as inserted by chapter 235, Laws of 1951, the following new subdivision:



Placing fill in great ponds.

29. *Artificial Fill.* No person, firm

Further amend said bill by striking out the word "chapter" where it occurs in the seventh line and also in the second line of section 31 as inserted by said bill, and inserting in place thereof the word, subdivision.

The report was accepted.

On motion of Mr. Faulkner of Keene the amendment proposed by the Committee on Engrossed Bills was adopted.

The bill was sent to the Senate for concurrence.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 75, An Act establishing a police commission for the city of Rochester.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

Senate Bill No. 35, An Act to provide for the publication and distribution of the Revised Statutes Annotated of the State of New Hampshire.

House Bill No. 61, An Act relative to the taking of wild bear.

House Bill No. 63, An Act relative to use of telephone party lines for fire alarms or other emergency calls.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 275, An Act relative to taking deer.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

House Bill No. 539, An Act relative to the use of registered and certified mail.

Amend the title of the bill by striking out the same and inserting in place thereof the following: An Act relative to the use of registered and certified mail.

On motion of Mr. Rainie of Concord the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

### Vote Rescinded

On motion of Mr. Chase of Dover the rules were suspended and the vote whereby the report of the Committee of Conference on House Bill No. 475, An Act relative to salaries of various county officials of Belknap, Cheshire, Coos, Grafton, Hillsborough, Merrimack, and Strafford Counties, was adopted, was rescinded.

On motion of Mr. Chase of Dover, House Bill No. 475, An Act relative to salaries of various county officials of Belknap, Cheshire, Coos, Grafton, Hillsborough, Merrimack, and Strafford counties, was recommitted to the Committee of Conference composed of Messrs. Vogel of Canterbury, Roberts of Conway and Chase of Dover, for the purpose of making corrections relative to Hillsborough County only.

### Resolutions

Mr. Malley of Somersworth offered the following resolution:

*Resolved*, that the Committee on Appropriations cause to be printed in the Journal for July 5 a revised summary of Page VIII of the Governor's Budget Book submitted February 5, 1955, with an estimate of the appropriation lapses for the fiscal year 1955 and revenues by major classification for 1955 and 1956, together with a complete list of appropriations made by the House which are not covered by House Bills No. 529 and No. 530, and a list of bills with amounts requested requiring appropriations which are still before the House.

The question being on the resolution.

Messrs Malley of Somersworth and Scamman of Stratham spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

### Communication

The Speaker read the following letter:

H. M. S. VERYAN BAY  
at Portsmouth,  
New Hampshire

25th June, 1955.

*The Clerk to the House of Representatives,*  
New Hampshire State Legislature,  
Concord, New Hampshire

SIR:

I have the honour to acknowledge the receipt of an extremely kind resolution passed by the House of Representatives of the New Hampshire Legislature.

I fully appreciate the great honour which the Speaker and members of the House have conferred upon me, my ship and my country.

I would be grateful if you would suggest to His Honour the Speaker that Wednesday, 29th June, at 11 a. m. would be a most convenient day.

I have the honour to be,

Sir,

Your obedient servant,

(Signed) L. R. P. LAWFORD,  
*Commander, Royal Navy,*  
*Commanding Officer.*

On motion of Mr. Pillsbury of Manchester the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 440, An Act relative to the Laconia state school.

House Bill No. 529, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1956.

Severally read a third time and passed, and sent to the Senate for concurrence.

### Reconsideration

Mr. Scamman of Stratham moved that the House reconsider its vote whereby it passed House Bill No. 529.

On a *viva voce* vote the motion did not prevail.

House Bill No. 530, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1957.

Read a third time and passed, and sent to the Senate for concurrence.

### Reconsideration

Mr. Scamman of Stratham moved that the House reconsider its vote whereby it passed House Bill No. 530.

On a *viva voce* vote the motion did not prevail.

On motion of Mrs. Gardner of Gilford at 2:40 o'clock the House adjourned.

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WEDNESDAY, JUNE 29, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God, our heavenly Father, help us to see life in its true perspective. In the pressure of work and the ever increasing responsibility laid upon us, we only too often lose our sense of proportion. How frequently we forget the great and eternal realities of life while we wrestle with the immediate and the temporal. Things near look large and overpowering while Thou dost seem far away. Restore to us the far look, and the confident faith that we so desperately need in these times of shortened vision. In the midst of the struggles of the present day, let us feel Thy nearness and sense Thy directing hand. Underneath the noise and the confusion of modern life let us hear the everlasting harmonies, and feel the support of the Everlasting Arms. Through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mr. Eldredge of Exeter led the convention in the salute to the flag.

Pursuant to a resolution adopted by the House the Speaker introduced Commander L. R. P. Lawford as follows:

#### *Members of the General Court:*

Your distinguished guest is Commander L. R. P. Lawford of His Majesty's ship, the frigate Veryan Ray, 2400 tons burden and with a complement of 155 men.

The Commander and his ship are on a good-will tour visiting ports on the northern half of the Atlantic seaboard. He has lately been in New York, New Bedford, Boston, and presently is at the Portsmouth Naval Station. He departs from this country for Canada on Friday of this week.

The purpose of the visit is basically good-will and it is granted to him and his men as a reward for long service in the Antarctic. During the few minutes I spent with him this morning, he informed me that his basic task was to keep his men happy and within the bounds of sobriety. I, naturally, mention the latter only in a jesting manner for Captain Oleson of the United States Navy has told me that the crew of the Veryan Bay are as fine a group of ambassadors of good-will as it has been his pleasure to welcome to the United States.

Your distinguished guest is a graduate of the British Naval College and was awarded the British Distinguished Service Cross for outstanding service in a Mediterranean action while serving as a gunnery control officer.

Members of the General Court, your welcome invited guest, Commander L. R. P. Lawford of the Royal Navy.

Commander Lawford addressed the House briefly.

### Leaves of Absence

Mr. Walker of Concord was granted leave of absence for Wednesday and Thursday and the week of July 5 on account of important business.

Mr. Eastman of Exeter was granted leave of absence for the day on account of illness.

Mr. Tenney of Chester was granted leave of absence for the week on account of important business.



### Introduction of Joint Resolution

The following joint resolution was introduced, read a first and second time, laid upon the table to be printed and referred as follows.

By Committee on Rules (Mr. Faulkner of Keene), Joint Resolution No. 61, Joint Resolution in favor of the estate of George T. Colony. To the Committee on Appropriations.

### Printing Dispensed With

On motion of Mr. Faulkner of Keene the rules were suspended to dispense with the printing of House Joint Resolution No. 61, Joint Resolution in favor of the estate of George T. Colony.

On motion of Mr. Scamman of Stratham, the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mr. Malley of Somersworth, for the Committee on Appropriations, to whom was referred House Bill No. 541, An Act making temporary appropriations for the expenses of the state of New Hampshire for the month of July, 1955, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Scamman of Stratham the rules were so far suspended as to permit the third reading and final passage, by title only, at the present time, of House Bill No. 541.

House Bill No. 541, An Act making temporary appropriations for the expenses of the state of New Hampshire for the month of July, 1955, was read a third time and passed and sent to the Senate for concurrence.

### Committee Reports

Mr. Ballentine of Laconia, for the Committee on Education, to whom was referred House Bill No. 382, An Act relative to cooperative school districts, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out section 3 and by renumbering sections 4 and 5 to read sections 3 and 4.

Amend section 6 of said bill by renumbering to read section 5, and by striking out said section and inserting in place thereof the following:

5. *Powers of District to Borrow Money for Capital Improvements.* Amend paragraphs II and III of section 6 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by striking out said paragraph and inserting in place thereof the following:

II. Each cooperative school district shall have the power to borrow money and issue its notes or bonds in conformity with the provisions of chapter 72 of the Revised Laws as amended, provided, however, when it shall appear to the board of investigation as established in the Municipal Finance Act, Revised Laws, chapter 72, as amended, that such action is necessary or desirable, indebtedness may be incurred to an amount not to exceed six per cent of their assessed valuation as last equalized by the state tax commission plus the average assessed valuation of the growing wood and timber therein for the years 1944 through 1948 inclusive as determined by the tax commission under section 18 of chapter 79-A of the Revised Laws as inserted by chapter 295 of the Laws of 1949 and as amended by section 6, chapter 12, Laws of 1951.

III. Whenever only a part of the educational facilities of a local school district are incorporated into a cooperative school district, such local district shall continue in existence and function as previously. The cooperative school district shall assume only those outstanding debts and obligations of the local school district which pertain to the property acquired by the cooperative school district for use by the cooperative school district. In such case no cooperative school district shall for elementary school purposes incur debt to an amount exceeding one and one half percent, and for secondary school purposes to an amount exceeding three per cent of the total assessed value of such district as last equalized by the tax commission plus the average assessed valuation of the growing wood and timber therein for the years 1944 through 1948 inclusive as determined by the tax commission under section 18 of chapter 79-A, Revised Laws, as inserted by chapter 295, Laws of 1949, and as amended by section 6, chapter 12, Laws of 1951. In the event that it shall appear necessary or desirable to the board of investigation provided for in the Municipal

Finance Act, chapter 72, Revised Laws, upon application properly made to it, that an elementary or a secondary cooperative school district incur indebtedness greater than the aforesaid one and one-half per cent or three per cent, as the case may be, such elementary school district or secondary school cooperative district may incur such indebtedness, as may be authorized by said board of investigation, but not in excess of six per cent of said valuation as hereinbefore set forth. No cooperative school district shall incur indebtedness if it subjects the taxable property of any school district forming a part thereof to debt, when added to the debt of such school district, of more than six per cent of the value of such taxable property.

Amend said bill by striking out all after section 6, as renumbered section 5 and inserting in place thereof the following:

6. *Definitions.* Amend section 1 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951, and as amended by section 1, chapter 225, Laws of 1953 (chapter 195, RSA) by inserting at the end thereof the following new paragraph: IX. "Valuation" shall mean the valuation as determined by the tax commission for debt limits, under the provisions of chapter 72 of the Revised Laws, as amended.

7. *Formation of District.* Amend paragraph I of section 3 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951, and as amended by section 2, chapter 225, Laws of 1953 (chapter 195, RSA) by inserting after the word "district" in the eleventh line the words: The petitioning motion shall be substantially in the following form: Resolved that ..... school district petition the state board of education to become a member of a cooperative school district which may include, in addition to this district the following school districts, namely ..... so that said paragraph as amended shall read as follows:

I. The board is hereby authorized and empowered to suggest in this state cooperative school districts to provide for the educational needs and services of elementary and secondary school children and youth, to determine and define the boundaries, and to designate said districts by name, number and such other description as it shall deem proper. Any school

district desirous of becoming a part of a suggested cooperative school district for a region shall at a duly called annual or special meeting by a majority vote of those present and voting to petition the board to become a part of a cooperative school district. The petitioning motion shall be substantially in the following form: Resolved that ..... school district petition the state board of education to become a member of a cooperative school district which may include, in addition to this district the following school districts, namely ..... One or two representatives from each pre-existing district shall be elected at the petitioning meetings to form an interim committee who shall prepare a financial budget for the operation of the proposed cooperative district. The district clerk shall within ten days after the meeting forward to the board a certified record of the meeting, a certified copy of the warrant articles acted upon at the meeting, and also certification of the posting of the notice of the meeting plus the results of the election to the interim committee. The records of each meeting shall show that a majority of the qualified voters present and voting in each duly called school district meeting are in favor of joining a cooperative school district of the region as approved and laid out by the board. Following a vote by the individual districts of the suggested cooperative school district, the board is empowered to lay out a proposed cooperative school district when a sufficient number of districts of the original proposal have indicated their desire by a majority vote of the qualified voters to become a part of a cooperative school district, and if in the board's judgment the districts so voting would constitute an administrative unit possessing the necessary conditions to make it to the best interests of the region to be so organized. Within ten days after the making and entry of the orders pursuant to this section, the board shall transmit a certified copy thereof to the clerk and to the chairman of the school board of each school district, indicating the territory which is affected by said orders. Each school board shall within ten days after receipt of such orders cause them to be published in a local newspaper or in one commonly circulated in the district.

8. *Change in Date.* Amend paragraph I of section 6 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by striking out the words "July



first, next, following its absorption by the cooperative school district" and inserting in place thereof the words, the date of establishment of the cooperative district, so that said paragraph as amended shall read as follows:

I. Each cooperative school district shall be a body corporate and politic with power to sue and be sued, to acquire, hold and dispose of real and personal property for the use of schools therein, and to make necessary contracts in relation thereto, and have and possess all the powers and be subject to all the liabilities conferred and imposed upon school districts under the provisions of chapter 138 of the Revised Laws. Whenever a cooperative school district assumes all the functions of a local school district, such local district shall continue in existence to the date of establishment of the cooperative district, and thereafter such cooperative school district shall be the agent for the payment of all outstanding just debts and obligations of such pre-existing district.

9. *Computation of Costs.* Amend section 7 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by striking out the word "adjusted" where it occurs in the fourth, fifth, eighth and ninth lines, so that said section as amended shall read as follows: 7. *Apportionment of Costs.* During the first five years after the formation of a cooperative school district, each pre-existing district shall pay its share of the cost of all capital improvements, based upon the proportion which its equalized valuation bears to the total aggregate equalized valuation of the cooperative school district at the time of its formation. Thereafter, such costs shall be apportioned on the basis of the ratio of the equalized valuation of the pre-existing district to the total equalized valuation of the cooperative school district at the time the funds therefor are appropriated.

10. *Operation.* Amend section 8 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951, and as amended by section 8, chapter 225, Laws of 1953 (chapter 195, RSA) by striking out said section and inserting in place thereof the following:

8. *Cost of Operation.* The cost of operating cooperative schools shall be prorated among the pre-existing districts in accordance with either one of the following ways, except as



hereinafter provided, as determined by the majority vote of the cooperative district meeting:

I. The proportion that its equalized valuation bears to the total equalized valuation of the property within the cooperative school district; or

II. One-half of cost shall be apportioned in proportion to the average daily membership for the preceding school year and one-half shall be apportioned on the equalized valuation formula above.

11. *Transfer of Property.* Amend section 9 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by striking out the word "adjusted" where it occurs in the seventh and eighth lines, so that said section as amended shall read as follows:

9. *Taking Over Property.* Whenever a cooperative school district is formed, the property belonging to the pre-existing districts to be used by the cooperative district shall be separately appraised by the state tax commission. At the next annual assessment a tax equivalent to that amount shall be levied upon the several districts composing the cooperative school district in the proportion that the equalized valuation of each bears to the equalized valuation of the whole, and there shall be remitted to the taxpayers of each pre-existing district the appraised value of its property. Whenever the board decides the foregoing adjustment will work a hardship on any one or all of the pre-existing districts, it may of its own motion, or upon petition of any ten residents of a pre-existing district, provide that such adjustment be made over a period of not exceeding twenty years.

12. *Trust Funds.* Amend section 11 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by striking out said section and inserting in place thereof the following:

11. *Continuance of Trust Funds.* All trust funds held or enjoyed by any pre-existing district shall be held and applied as the terms of the trust indicate. If such trust allows, the funds may be applied for the same uses and purposes of the cooperative district.

13. *Computation.* Amend section 15 of chapter 199,

Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by striking out said section and inserting in place thereof the following:

15. *State Aid.* The state aid, provided by sections 8, 9 and 9-a of chapter 140, Revised Laws, as amended, to which a cooperative elementary and/or secondary district shall be entitled shall be the total of those shares of the aid to which the pupils attending the cooperative district would have entitled the pre-existing districts, had they remained in the pre-existing districts.

14. *Additional Aid.* Amend chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by inserting after section 15 the following new section: 15-a. *Building Aid.* For the purposes of receiving state building aid, or other similar aid toward school buildings, which may hereafter be provided, the amount of such aid for cooperative school districts shall apply only to those cooperative districts which were formed from two or more districts from two or more towns. A cooperative school district formed from two or more school districts within one town shall be deemed to be a school district and not a cooperative district in so far as receipt of state building or other similar aid toward school buildings is concerned.

15. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, and the amendment laid upon the table for printing under Rule No. 48.

Mr. Rainie of Concord, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 31, An Act relative to manufacture or sale of sling shots, black jacks, etc., having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Possession Illegal.* Amend section 18 of chapter 441 of the Revised Laws by striking out said section and inserting in place thereof the following: 18. *Toy Pistols, etc.* If any person shall sell, expose for sale or possess an instrument or

weapon of the type usually known as switch knife, sling shot, sword cane, pistol cane, bludgeon, black jack, metallic knuckles, toy firearm for the explosion of blank cartridges, air rifle or ammunition for any such pistol or rifle, he shall be fined not more than \$100 or imprisoned not more than six months, or both. When any of the objects enumerated in this section is possessed in violation thereof, the same is declared to be and is a public nuisance and it shall be forfeited as provided in section 32 of the Revised Laws.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Rainie of Concord, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 357, An Act relating to appropriations for the University of New Hampshire, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned, a minority of the Committee on Executive Departments and Administration, to whom was referred House Bill No. 357, An Act relating to appropriations for the University of New Hampshire, having considered the same, and being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass:

Amend section 19 of chapter 222 of the Revised Laws as amended by section 2 of the bill by striking out the word "and" in the fifth line and by adding at the end of said section the words and figures, chapter 226 of the Laws of 1953 and chapter 174 of the Laws of 1955, so that said section as amended shall read as follows: 19. *Building Programs*. The legislature shall provide funds for the payment of the principal and interest on bonds issued for the building programs at the university in accordance with the terms and conditions of chapter 136, Laws of 1939, chapter 206 of the Laws of 1945, chapter 168 of the Laws of 1947, chapter 226 of the Laws of 1953 and chapter 174 of the Laws of 1955.

Amend section 3 of the bill by striking out said section and inserting in place thereof the following: 3. *Takes Effect*. The trustees of the university shall, prior to the 1957 session of the legislature, submit to the comptroller their esti-

mates of the amounts necessary for the 1957 and 1958 fiscal years and this part of this act shall take effect as of the passage of this act. The remaining provisions of this act shall take effect as of July 1, 1957.

GEORGE L. LAVOIE,

EMILE SOUCY,

LISE L. PAYETTE,

*For the Minority of Committee.*

Reading of the amendment having commenced, on motion of Mr. Soucy of Manchester, Ward 1, further reading was dispensed with.

The reports were accepted.

Mr. Brown of Strafford spoke in favor of the report of the majority of the committee.

Mr. Soucy of Manchester moved that the report of the minority be substituted for that of the majority.

The question being on the motion.

(Discussion ensued)

Mr. Soucy of Manchester spoke in favor of the motion.

Mr. Vaughan of Newport spoke against the motion.

(Mr. Deans of Milford in Chair)

Messrs. Ford of Wolfeboro and Karkavelas of Dover, and Mrs. Roe of Newport spoke against the motion.

Mr. Waling of Keene moved that the bill be indefinitely postponed.

The question being on the motion.

Mr. Waling of Keene spoke in favor of the motion.

(Speaker in Chair)

Messrs. Angus of Claremont, Malley of Somersworth, and Pillsbury of Manchester spoke in favor of the motion.

Mr. Soucy of Manchester spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone prevailed.

### Vote Recorded

Mr. Soucy of Manchester, Ward 1, rose to be recorded as voting No on the motion to indefinitely postpone further action on House Bill No. 357.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 380, An Act providing for liens in favor of hospitals, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Faulkner of Keene moved that the bill, with accompanying report, be made a Special Order for Tuesday, July 5, at 11:01 o'clock.

On a *viva voce* vote the motion prevailed.

Mr. Faulkner of Keene, for the Committee on Judiciary, to whom was referred House Bill No. 512, An Act relative to immunity of witnesses under subversive investigations, having considered the same, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Committee on Judiciary, to whom was referred House Bill No. 512, An Act relative to immunity of witnesses under subversive investigation, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

WILLIAM D. CRAIG, JR.,  
DANIEL J. HEALY,  
MARTHA FRIZZELL,  
*A Minority of the Committee.*

The reports were accepted.

Mr. Moher of Dover moved to substitute the minority report for that of the majority.

The question being on the motion.

Mr. Moher of Dover spoke in favor of the motion.

Mr. Healy of Manchester, Ward 6, moved that the bill be indefinitely postponed.

The question being on the motion.

Messrs. Healy of Manchester, Ward 6, Rathbone of Exeter, Waling of Keene, Eldredge of Exeter, Pappagianis of Laconia, and Craig of Manchester spoke in favor of the motion.

Messrs. Pickett of Keene, Brown of Strafford, and Faulk-



ner of Keene, and Mrs. Brungot of Berlin and Miss Collyer of Lisbon spoke against the motion.

Mr. Craig of Manchester called for a division.

A division being had, 142 members having voted in the affirmative, and 123 members having voted in the negative, the motion to indefinitely postpone prevailed.

### Reconsideration

Mr. Waling of Keene moved that the House reconsider its vote whereby it indefinitely postponed House Bill No. 512, An Act relative to immunity under subversive investigations, but subsequently withdrew his motion.

Mrs. Brungot of Berlin demanded the yeas and nays on the motion to indefinitely postpone, and the roll was called with the following result:

### Yeas — 162

COOS COUNTY: Christiansen, Rines, Hurlbert, Simouds, Bushey, Converse, Stinson.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Barka, Eldredge, Rathbone, Jones of Fremont, Hunter, Parmenter, McCaffery, Palmer, Dondero, Travis, Munz, Ingraham, Mafera, Willis (Anna), Willis (Howard), Felch, Robinson of South Hampton, Scamman.

STRAFFORD COUNTY: Chase, Moher, Felker, Crandall, Littlehale, Stearns, Dustin, Lacasse, St. Pierre, Maloomian, Letourneau, Cormier, Malley.

BELKNAP COUNTY: Gardner of Gilford, Robertson, Hart, Morin, Simoneau, Ballentine, Karagianis, Varrell, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Downs, Roberts, Stokes. Nickerson of Madison, Lamprey, Hayden, Hodge, Peaslee of Wakefield, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Baron, Ellsworth, Stevens, Dowd, Jewett, Rainie, Cilley, Kenney, Charland, DuDevoir, Lovejoy, Workman.

HILLSBOROUGH COUNTY: Black, Farwell, Herrick, Poore, Fortin, Goodwin, Abbott, Lang of Manchester, Pettigrew, Soucy of Manchester, Ward 1, Danforth, Pillsbury of Man-

chester, Dwyer, Hayes, Sullivan, Fitzgerald, Nolan, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Callahan, Casey, Healy of Manchester, Ward 6, Corey, Craig, Delisle, Lavoie, Constant, Morris, Auger, Bergeron, Schricker, Hurley, Gauthier, Cannon, Donnelly, Gamache, Peaslee of Merrimack, Buckley, Peterson, Ramsdell, Saunders, Thibault of Nashua, Belcourt, Trombley, Brosnahan, Maynard, Pappagianis, Dionne of Nashua, Chartrain, Ryan, Dugas, Dutilly, Langelier, Bouthillier, Dumais, Rice, Bardol.

CHESHIRE COUNTY: Post, Pike, Haley, Wheeler, Brown of Keene, Waling, Rhodes.

SULLIVAN COUNTY: Bascom, Frizzell, Bloomfield, Firestone, Millar, Stone, Davis of Cornish, Nelson of Goshen, Reney, Roe, Vaughan of Newport.

GRAFTON COUNTY: Ramsey, Pryor, Sanborn, Campion, Bradley, Hayward, Sleeper, Chamberlain of Holderness, Ashley, Cole, Talbot, Carr.

### Nays — 122

COOS COUNTY: Sheridan, Brungot, Fontaine, Gagnon, Ross, Ferguson, Cornelius, Taylor.

ROCKINGHAM COUNTY: Shattuck, Nickerson of East Kingston, Blair, Spollett, Cheney, Barrett, Payette, Haigh, Pillsbury of Sandown, Waterhouse.

STRAFFORD COUNTY: Swain, Webb, Pearson, Wentworth, Evans, Studley, Clement of Rochester, Estes, Green, Brown of Strafford.

BELKNAP COUNTY: Skinner, McAllister, Tilton, Miner, Smith of Meredith, Urie.

CARROLL COUNTY: Hodgdon.

MERRIMACK COUNTY: Vaughn of Bow, Vogel of Canterbury, Henry, Colbath, Hancock, Lessels, McKee, Mahoney of Concord, Nutter, Broadhurst, Dempsey, Carpenter, Mason, Davis of Hopkinton, Brown of Loudon, Milligan, Wilman, Ayer of Pittsfield, Young, Bigelow, Bean.

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Hambleton, Jennings, Reed, Hadley, Burgess, Geisel, Mahony

of Manchester, Robb, Horan, Kean, Clancy, Ecker, Slowey, Tessier, Cary, Lareau, Soucy of Manchester, Ward 12, Deans, Falconer, Wadleigh, Boire, Shea of Nashua, Grandmaison, Eastman of Weare.

CHESHIRE COUNTY: Burnham, Thomas, Smith of Hinsdale, Perry, Spofford, Kirk, McCullough, Bennett, Coddington, Faulkner, Pickett, Brown of Marlow, Sherwin, Terrill, Lane, Bouvier, Lang of Troy, Billings, Ingham, Thompson.

SULLIVAN COUNTY: Angus, Howe, Bissonett, Bailey, Rowell, Pierce, Gamsby.

GRAFTON COUNTY: Chamberlin of Bath, Plumer, Clarke of Canaan, Holden, Larty, Townsend, Collyer, Kelley, Martin, Frazer, Bell, Huckins.

And the motion to indefinitely postpone prevailed.

### Reconsideration

Mr. Waling of Keene moved to reconsider the vote whereby the House voted to indefinitely postpone House Bill No. 512.

On a *viva voce* vote the motion did not prevail.

### Taken from the Table Under Rule No. 48

House Bill No. 210, An Act relative to vacations for employees of the city of Manchester.

The question being on the amendment found in the Journal of June 23.

On a *viva voce* vote the amendment was adopted.

Mr. Pillsbury of Manchester offered the following amendment:

Further amend said bill by striking out in section 1 all after the words "said section" so that said section as amended shall read:

1. *The City of Manchester.* Amend section 1 of chapter 279 of the Laws of 1919, as amended by section 1, chapter 278 of the Laws of 1921, section 1, chapter 275, Laws of 1943 and section 1, chapter 277 of the Laws of 1945 by striking out said section.

Amend section 2 of the bill by striking out the words "upon its passage" and inserting in place thereof the word and

figures, January 1, 1956, so that said section as amended shall read as follows:

2. *Takes Effect.* This act shall take effect January 1, 1956.

The question being on the amendment.

(Discussion ensued)

Messrs. Pillsbury and Soucy of Manchester, Ward 1, and Charland of Franklin spoke in favor of the amendment.

Messrs. Geisel, Craig, Mahony and Healy, Ward 6, of Manchester spoke against the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Craig of Manchester called for a division.

A division being had, 176 members having voted in the affirmative, and 42 members having voted in the negative, the amendment was adopted.

Mr. Healy of Manchester, Ward 5, demanded the yeas and nays but subsequently withdrew his demand.

Mr. Pickett of Keene rose on a point of parliamentary inquiry as to the requirements of a constitutional quorum in the above division vote.

### Speaker's Ruling

The Speaker ruled: The quorum of the House set by the Constitution of New Hampshire is 201.

Total standing vote of the yeas and nays was 218.

Less than two-thirds of the elected members being present, and two-thirds of those present and voting are required to make the proceedings valid.

Two-thirds of 218 being 146, but 176 having voted in the affirmative, the Chair ruled the amendment adopted in compliance with the constitution.

The bill was ordered to a third reading.

Mr. Soucy of Manchester, Ward 1, moved that the rules be suspended to allow the third reading and final passage, by title only, at the present time, of House Bill No. 210.

On a *viva voce* vote the motion prevailed.

House Bill No. 210, An Act relative to vacations for employees of the city of Manchester, was read a third time.

The question being, Shall the bill pass?

The Speaker called for a division.

A division being had, 204 members having voted in the affirmative and 19 members having voted in the negative, and less than two-thirds of the elected members being present and two-thirds of those present and voting having voted in the affirmative, the bill passed and was sent to the Senate for concurrence.

### **Report of Committee on Engrossed Bills**

Mr. Ballentine of Laconia, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate and House bills:

Senate Bill No. 11, An Act relative to education of children placed in homes for children.

Senate Bill No. 35, An Act to provide for the publication and distribution of the Revised Statutes Annotated of the State of New Hampshire.

House Bill No. 13, An Act relative to mileage for members of the legislature.

House Bill No. 52, An Act to ratify the New England higher education compact.

House Bill No. 59, An Act providing for the classification of Baker river and its watershed.

House Bill No. 61, An Act relative to the taking of wild bear.

House Bill No. 63, An Act relative to use of telephone party lines for fire alarms or other emergency calls.

House Bill No. 405, An Act extending certain aeronautical appropriations.

House Bill No. 505, An Act to repeal charters of certain corporations.

House Bill No. 525, An Act empowering the public utilities commission to bargain with the New York Power Authority.

Senate Bill No. 75, An Act establishing a police commission for the city of Rochester.

The report was accepted.

### **Report of Committee of Conference**

The Committee of Conference, to whom was referred House Bill No. 475, An Act relative to salaries of various



Belknap county officials, having considered the same, report the same with the following recommendations:

That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendments and that the following amendments be adopted:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to salaries of various county officials of Belknap, Cheshire, Coos, Grafton, Merrimack and Strafford counties.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *County Sheriffs.* Amend section 27, chapter 380 of the Revised Laws, as amended by chapter 195, Laws of 1943, chapter 189, Laws of 1945, section 2, chapter 2, Laws of 1947, section 3, chapter 202, Laws of 1947, section 1, chapter 256, Laws of 1947, chapter 291, Laws of 1947, chapter 235, Laws of 1953 (section 29, chapter 104, RSA) and as amended by section 1, chapter 172, Laws of 1955, by striking out said section and inserting in place thereof the following: 27. *Salaries.* The annual salaries of the sheriffs of the several counties shall be as follows:

In Rockingham, fifteen hundred dollars.

In Strafford, one thousand dollars.

In Belknap, fifteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, two thousand four hundred dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, eight hundred dollars.

In Grafton, eighteen hundred dollars.

In Coos, two thousand dollars.

The salary of the sheriff of Grafton County shall be paid monthly.

Amend section 2 of said bill by striking out said section and inserting in place thereof the following:

2. *County Solicitors.* Amend section 20 of chapter 24 of the Revised Laws, as amended by chapters 40 and 136, Laws of 1943, chapters 2, 27, 202, 213, 242, 263, 268 and 270 of the

Laws of 1947, chapter 183, Laws of 1949 and chapters 108, 122 and 179 of the Laws of 1953 (section 35, chapter 7, RSA) by striking out said section and inserting in place thereof the following: 20. *Salaries*. The annual salaries of the solicitors in the several counties shall be as follows:

In Rockingham, twenty-two hundred dollars.

In Strafford, two thousand dollars.

In Belknap, eighteen hundred dollars.

In Carroll, twelve hundred dollars.

In Merrimack, twenty-five hundred dollars.

In Hillsborough, thirty-three hundred dollars.

In Cheshire, two thousand dollars.

In Sullivan, fifteen hundred dollars.

In Grafton, twenty-four hundred dollars.

In Coos, twenty-four hundred dollars.

Amend section 3 of said bill by striking out said section and inserting in place thereof the following:

3. *County Treasurers*. Amend section 13, chapter 48 of the Revised Laws, as amended by chapter 66, Laws of 1945, chapter 257, Laws of 1947, chapter 179, Laws of 1953 (section 14, chapter 29, RSA) and as amended by section 2, chapter 172, Laws of 1955, by striking out said section and inserting in place thereof the following: 13. *Salaries*. The annual salaries of the treasurers of the several counties to be in full for their services and allowances of every kind, except as hereinafter provided, shall be as follows:

In Rockingham, eight hundred dollars.

In Strafford, five hundred dollars.

In Belknap, five hundred dollars.

In Carroll, five hundred dollars.

In Merrimack, six hundred dollars.

In Hillsborough, twelve hundred dollars.

In Cheshire, four hundred dollars.

In Sullivan, four hundred dollars.

In Grafton, five hundred dollars.

In Coos, five hundred dollars.

To the foregoing sums shall be added a reasonable sum for all necessary expenses upon order of the county commissioners.

Amend section 4 of said bill by striking out said section and inserting in place thereof the following:

4. *County Commissioners.* Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, chapters 66 and 163 of the Laws of 1945, chapters 202 and 284 of the Laws of 1947, chapters 73 and 162 of the Laws of 1949, chapters 149 and 233 of the Laws of 1951 and chapters 90 and 123, Laws of 1953 (section 28, chapter 28, RSA) by striking out said section and inserting in place thereof the following: 27. *Commissioners.* The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, eighteen hundred dollars.

In Strafford, fifteen hundred dollars.

In Belknap, fifteen hundred dollars.

In Merrimack, two thousand dollars.

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In Hillsborough, thirty-five hundred dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, twelve hundred dollars.

In Grafton, eighteen hundred dollars.

In Coos, fifteen hundred dollars.

In Carroll county each commissioner, when employed in business of the county, shall receive ten dollars a day, payable as hereinbefore provided.

To the foregoing sums shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

Amend section 5 of said bill by striking out said section and inserting in place thereof the following:

5. *Takes Effect.* The foregoing provisions of sections 1 and 3 which provide for an increase in the salaries of the sheriff and treasurer of the county of Coos shall take effect as of January 1, 1956. The remaining provisions of this act shall take effect as of January 1, 1955.

ALBERT A. VOGEL,

RAYMOND H. CHASE,

MILBURN F. ROBERTS,

*Conferees on the Part of the House.*

JOHN R. POWELL,

J. L. AINSWORTH,

*Conferees on the Part of the Senate.*

Reading of the report having commenced, on motion of Mr. Chase of Dover, further reading was dispensed with.

On motion of Mr. Chase of Dover the House adopted the report of the Committee of Conference.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 475, An Act relative to salaries of various Belknap county officials, Cheshire, Coos, Grafton, Merrimack and Strafford counties.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 392, An Act relative to appointment of Fish and Game Director.

House Bill No. 437, An Act relative to hunting wild bear.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 322, An Act to change allocation of funds from inspections in the department of agriculture.

House Bill No. 406, An Act relative to porcupines.

House Bill No. 496, An Act relative to the establishment of soil conservation districts.

House Bill No. 513, An Act relative to fees for inspections and sealing of weighing and measuring devices.

House Bill No. 527, An Act relative to sales of armories.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 42, An Act relative to the revenue of the department of health, providing for additional appropriations for certain departments for the fiscal year ending June 30, 1955.

The message also announced that the Senate concurs with the House of Representatives in the passage of the fol-

lowing entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 450, An Act relative to non-resident fishing licenses.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to non-resident fishing and hunting licenses.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following new sections:

2. *Non-residents.* Amend paragraph III of section 6, chapter 247 of the Revised Laws as amended by section 2, chapter 217, Laws of 1947, and section 3, chapter 181, Laws of 1951 (paragraph VI, section 9, chapter 214, RSA) by striking out the word "twenty" in the second line and inserting in place thereof the word, twenty-five, so that said paragraph as amended shall read as follows: III. If the applicant is a non-resident and wishes to hunt, twenty-five dollars, and said agent shall thereupon issue a non-resident hunting license which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds and game animals, under the restrictions of this title.

3. *Non-resident Minors.* Amend paragraph III-a of section 6, chapter 247, Revised Laws as inserted by section 3, chapter 163, Laws of 1947, and as amended by section 4, chapter 181, Laws of 1951 (paragraph VII, section 9, chapter 214, RSA) by striking out the word "twenty" and inserting in place thereof the word, twenty-five, so that said paragraph as amended shall read as follows: III-a. If the applicant is a non-resident under sixteen years of age and wishes to hunt, twenty-five dollars, and said agent shall thereupon issue a non-resident minor's hunting license which shall entitle the licensee to hunt, shoot, or take game animals when accompanied by another licensee twenty-one years of age or over, and to transport game animals under the restrictions of this title.

4. *Effective Dates.* That part of paragraph IV of section 6 of chapter 247, Revised Laws, as amended by section 1



of this act, providing for an increase in the fee for a fifteen-day non-resident fishing license, shall take effect upon the passage of this act; the remaining provisions of this act shall take effect as of January 1, 1956.

Reading of the amendment having commenced, on motion of Mr. Young of Pittsfield further reading was dispensed with.

Mr. Young of Pittsfield moved that the House non-concur in the amendments sent down from the Honorable Senate and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Messrs. Converse of Pittsburg, Plumer of Bristol, and Clement of Rochester.

House Bill No. 78, An Act relative to motor vehicle weights.

Amend section 1, paragraph IX of the bill by inserting at the end thereof the following sentence: The provisions of this Act shall not apply to vehicles used exclusively in the surfacing of highways of the State of New Hampshire, or subdivisions thereof: Provided that the commodities of tar, asphalt, or the combination thereof shall not exceed 2,000 gallons on any two-axle vehicle, or 4,000 gallons on any three-axle vehicle, so that said paragraph as amended shall read as follows: IX. A vehicle or combination of vehicles equipped with any solid rubber tires shall not have weights more than eighty per centum of those permitted in this section for pneumatic tires; provided, no vehicle equipped with solid rubber tires shall be operated upon a public highway, which has at any point less than one inch of rubber above the top or beyond the flange or rim. The provisions of this Act shall not apply to vehicles used exclusively in the surfacing of highways of the State of New Hampshire, or subdivisions thereof: Provided that the commodities of tar, asphalt, or the combination thereof shall not exceed 2,000 gallons on any two-axle vehicle, or 4,000 gallons on any three-axle vehicle.

Further amend the bill by striking out all of section 2, and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mrs. Davis of Concord the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 223, An Act to simplify requirements for absentee voting.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Absentee Voting.* Amend paragraphs II and III of section 61, chapter 34, Revised Laws, as amended by section 2, chapter 20, Laws of 1943 (paragraph II, section 2, chapter 60, RSA) by striking out said paragraph and inserting in place thereof the following:

II. Blank forms of application for such ballots worded as follows: To the city or town clerk of .....  
 I ..... hereby apply for an official absent  
 voting ballot. I am a duly qualified voter and entitled to vote in  
 ward ....., city or town .....  
 (Signature) .....  
 (Street and number) .....  
 (City or town, State) .....

III. Envelopes of sufficient size to contain the ballots specified in paragraph I, on which shall be printed the following: *Absence from City or Town.* A person voting by absentee ballot because of absence from the city or town in which he is entitled to vote shall fill out and sign the following certificate:

I do hereby certify, under the penalties of perjury, that I am a duly qualified voter in the city or town of ....., New Hampshire, in Ward ....., that I will be absent on election day from said city or town, and will be unable to vote in person; that on said day at least one city or town will intervene between the place where I am entitled to vote and the place where I am then; that I have carefully read the instructions forwarded to me with the ballot herein enclosed and that I personally marked the within ballot and enclosed and sealed it in this envelope.

(Signature) .....

*Absence Because of Physical Disability.* A person voting by absentee ballot because of physical disability shall fill out and sign the following certificate:

I do hereby certify, under the penalties of perjury, that I am a duly qualified voter in the city or town of . . . . ., New Hampshire, in Ward . . . . ., that on account of physical disability I am unable to vote in person; that I have carefully read the instructions forwarded to me with the ballot herein enclosed, and that I personally marked the within ballot and sealed it in this envelope.

(Signature) . . . . .

Further amend said bill by inserting after section 1 the following new section:

2. *Duties of Clerk.* Amend section 63 of chapter 34, Revised Laws (section 4, chapter 60, RSA) by striking out the same and inserting in place thereof the following:

63. *Forwarding Ballots.* When an application for an official absent voting ballot is received by the clerk of a city or town, whether on the form supplied by the secretary of state, or by written statement or oral request containing the information required by paragraph II of section 61, said clerk shall check the same and ascertain if the person is on the check list of the town or city. He shall then deliver or mail the papers described in paragraphs I, II and IV of section 61 and shall keep lists of the names and addresses, arranged by voting places, of all persons to whom official absent voting ballots have been sent. Copies of said lists shall be open to inspection and shall be posted at the polling places during the day of the election.

Further amend said bill by renumbering sections 2 and 3 to read sections 3 and 4.

Reading of the amendment having commenced, on motion of Mr. Faulkner of Keene, further reading was dispensed with.

Mr. Faulkner of Keene moved that the House non-concur in the amendments sent down from the Honorable Senate and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such committee on the part of the House, Mr. Faulkner of Keene, Mrs. Brungot of Berlin, and Mr. Pickett of Keene.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

Senate Bill No. 31, An Act relative to manufacture or sale of sling shots, blackjacks, etc.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mrs. Millar of Claremont at 2:26 o'clock the House adjourned.

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THURSDAY, JUNE 30, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God, our Father, how many times we have been told we belong to Thee; and yet how frequently we have talked and lived as if Thou belonged to us. We make our plans and then ask Thee to approve them; we determine the way we intend to take and then ask Thy guidance; we leave Thee out of the important matters that concern us, and then, when we fail to achieve our selfish purpose we act as if Thou had forsaken us; we call ourselves Thy children, and yet only too often assume leadership in Thy family. Help us, our God, to cease attempting to use Thee, and be used by Thee. Give us a greater sense of our dependence upon Thee and a greater consciousness of our self-insufficiency. May we never lose sight of the fact that we belong to Thee. In the name of Jesus Christ our Lord. Amen.

### Salute to the Flag

Mrs. Frizzell of Charleston led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Pearson of Dover, Urie of New Hampton, Robertson of Gilmanton and Mrs. Miner of Meredith, were granted leaves of absence for the day on account of important business.

Mr. Eastman of Exeter was granted leave of absence for the day on account of illness.

### Special Privilege

Mr. Sherwin of Rindge rose on a point of special privilege for a five minute talk on the birth of the nation, and commemorating the 4th of July.

### Introduction of a Joint Resolution

The following joint resolution was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Rules Committee (Mr. Pickett of Keene), Joint Resolution No. 62, Joint Resolution in favor of Charlotte Peterof. To the Committee on Appropriations.

### Printing Dispensed With

On motion of Mr. Scamman of Stratham, the rules were suspended to dispense with the printing of House Joint Resolution No. 62.

### Communication

The Speaker read the following letter:

THE WHITE HOUSE  
WASHINGTON

June 28, 1955

*Dear Mr. Speaker:*

It was a thrilling and memorable occasion for me to be officially welcomed at a regular session of your Council on my visit to New Hampshire. Would you be good enough to express to the citizens of your State my sincere appreciation of this honor they bestowed upon me? I am most deeply grateful.

I would be remiss if I didn't tell you how kind it was of the people of New Hampshire to remember Mrs. Eisenhower with the Paul Revere bowl. It is beautiful. I know she will be



sorry not to have received it personally, and will want to thank you for it herself.

Again, my sincere thanks and with every best wish,

Sincerely,

DWIGHT D. EISENHOWER

The Honorable Charles Griffin

Speaker of the House of Representatives

Concord, New Hampshire

### Committee Reports

Mr. Belcourt of Nashua, for the Committee on Appropriations, to whom was referred House Bill No. 35, An Act relating to the salary of the superintendent of the state sanatorium, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Malley of Somersworth, for the Committee on Appropriations, to whom was referred House Bill No. 207, An Act relative to unemployment compensation for employees of the state and of political subdivisions and instrumentalities thereof, having considered the same, reported the same with the following resolution:

*Resolved*, That it be referred to the Legislative Council.

The report was accepted and the resolution of the committee adopted.

Mr. Davis of Hopkinton, for the Committee on Appropriations, to whom was referred House Bill No. 257, An Act relative to the change of designation of the deputy director of recreation and to the salary of said office, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being, Shall the bill be read a third time?

(Discussion ensued)

Messrs. Angus of Claremont, Skinner of Alton, and Scamman of Stratham spoke in favor of the question.

Mr. Chandler of Bartlett moved that the bill be indefinitely postponed.

Mr. Chandler of Bartlett called for a division.

A division being had, 109 members having voted in the affirmative, and 137 members having voted in the negative, the motion did not prevail.

Mr. Pillsbury of Manchester called for a second division.

Mr. Pickett of Keene demanded the yeas and nays but subsequently withheld his demand until a second division had been taken.

A division being had, 142 members having voted in the affirmative, and 147 members having voted in the negative, the motion did not prevail.

The question being, Shall the bill be read a third time?

Mr. Pillsbury of Manchester called for a division.

A division being had, 162 members having voted in the affirmative, and 108 members having voted in the negative, the bill was ordered to a third reading.

Mr. Walker of Concord, for the Committee on Appropriations, to whom was referred House Bill No. 362, An Act relative to dredging Hampton Harbor, protection of shore at Boar's Head in the town of Hampton and a study of seacoast erosion problems, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Sheridan of Berlin, for the Committee on Appropriations, to whom was referred House Bill No. 532, An Act to provide for cumulative pocket supplements to Revised Statutes Annotated, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Walker of Concord, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 41, Joint Resolution providing for funds for Dutch elm disease control, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

(Discussion ensued)

Messrs. Pillsbury of Manchester and Scamman of Stratham spoke in favor of the question.

Messrs. Pickett of Keene and Brown of Loudon spoke against the question.

Mr. Casey of Manchester moved that the bill be laid upon the table.

The question being on the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution of the committee.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Rowell of Newport, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 43, Joint Resolution relative to interim committee to study senatorial districts, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Pillsbury of Manchester moved that the bill be re-committed to the Committee on Appropriations.

On a *viva voce* vote the motion prevailed.

Mr. Malley of Somersworth, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 52, Joint Resolution relative to purchase of boat for the fish and game department, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Flanagan of Dover, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 35, Joint Resolution in favor of the Y. D. National Convention, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out the words "fifteen hundred" and inserting in place thereof the words, one thousand, so that said joint resolution as amended shall read as follows:

That the sum of one thousand dollars is hereby appropriated for the Y. D. National Convention which is to be held in Manchester in June 1955. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Eldredge of Exeter called for a division.

A division being had, 197 members having voted in the affirmative, and 22 members having voted in the negative, the amendment was adopted.

Mr. Eldredge of Exeter moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Mr. Eldredge of Exeter spoke in favor of the motion.

Messrs. Chase of Dover, O'Shan of Laconia, Pickett of Keene, Scamman of Stratham and Geisel of Manchester, and Mesdames Brungot of Berlin and Dondero of Portsmouth spoke against the motion.

### Personal Privilege

Mr. Eldredge of Exeter rose on a point of personal privilege.

Mr. Pickett of Keene rose on a point of personal privilege.

Miss Collyer of Lisbon spoke against the motion.

On a *viva voce* vote the motion to indefinitely postpone did not prevail.

Mr. Scamman of Stratham offered the following amendment:

Amend House Joint Resolution No. 35, as amended, by inserting after the figures "1955" in the amendment, the phrase, provided the city government of Manchester appropriates and spends a like sum for this convention from its treasury, so that said joint resolution as amended shall read as follows:

That the sum of one thousand dollars is hereby appropriated for the Y. D. National Convention which is to be held in Manchester in June 1955, provided the city government of Manchester appropriates and spends a like sum for this convention from its treasury. The governor is authorized to draw his warrant for the sum hereby appropriated out of any money in the treasury not otherwise appropriated.

The question being on the amendment.

(Discussion ensued)

Mr. Scamman of Stratham and Mrs. Dondero of Portsmouth spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred Senate Bill No. 97, An Act relative to the establishment of a centralized bureau for the reproduction of state documents, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Rathbone of Exeter, for the Committee on Judiciary, to whom was referred House Bill No. 490, An Act finding a communist conspiracy in existence and declaring the Communist Party of the United States, including its local components in the state, illegal, having considered the same, reported the same with the recommendation that the bill be referred to the Judicial Council.

The report was accepted and the recommendation of the committee adopted.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 365, An Act relative to taxation in Pittsburg and Clarksville, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

On motion of Mr. Pillsbury of Manchester the bill was referred to the Committee on Appropriations.



### Report of Committee on Engrossed Bills

Mrs. Hayden of Ossipee, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate and House bills:

Senate Bill No. 42, An Act relative to revenue of the department of health; providing for additional appropriations for certain departments for the fiscal year ending June 30, 1955.

House Bill No. 406, An Act relative to porcupines.

House Bill No. 496, An Act relative to the establishment of soil conservation districts.

House Bill No. 513, An Act relative to fees for inspections and sealing of weighing and measuring devices.

House Bill No. 322, An Act to change the allocation of funds from inspections in the department of agriculture; relative to license fees for milk distributors; relative to fees for licenses for pharmacies and pharmacists, and relative to transfer of certain funds collected under the economics poison law.

House Bill No. 539, An Act relative to the use of registered and certified mail.

House Bill No. 541, An Act making temporary appropriations for the expenses of the state of New Hampshire for the month of July, 1955.

House Bill No. 78, An Act relative to motor vehicle weights.

The report was accepted.

### Committee of Conference Report

The Committee of Conference, to whom was referred Senate Bill No. 68, An Act relative to the salaries of the Board of Public Works and the Justice of the Municipal Court of the City of Laconia, having considered the same, reported the same with the following recommendation:

That the Senate recede from its position of non-concurrence, that the House recede from its position in adopting its amendment, and that the following amendment be adopted:

Amend section 1 of the bill by striking out in line 3 the words "two hundred dollars" and inserting in place thereof the following words, two hundred fifty dollars, so that said section as amended shall read as follows: 1. *City of Laconia; Board of Public Works.* The annual salary of each member of

the Board of Public Works of the City of Laconia shall be two hundred fifty dollars.

OTTO G. KELLER,  
ARCHIBALD H. MATTHEWS,  
*Conferees on the Part of the Senate.*

ELMER S. TILTON,  
PETER S. KARAGIANIS,  
JAMES P. ROGERS,  
*Conferees on the Part of the House.*

On motion of Mr. Tilton of Laconia the report of the Committee of Conference was agreed to.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 328, An Act to change the name of the Board of Nurse Examiners and to increase the fees for nurse registration.

House Bill No. 331, An Act relative to protection of public water supply.

House Bill No. 374, An Act relating to assistance to municipalities by tax commission in appraising taxable property.

House Bill No. 531, An Act relative to the salary of the associate justice of the Somersworth municipal court.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 515, An Act relative to transfer of liquor licenses and beverage permits to clubs in certain cases.

Amend paragraph I of section 24-a of chapter 170 as inserted by section 1 of the bill by inserting after the word "year" in the third line the words, or any six single days, so that said paragraph as amended shall read as follows: I. Notice of the number of days during which the new premises are to be used shall not exceed three days at any one time, nor

more than twice in any one year, or more than six single days, to any organization.

On motion of Mr. Pickett of Keene the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 337, An Act increasing the membership of the Fish and Game Commission, and relating to the term of the Fish and Game Director.

Amend section 5 of the bill by striking out the entire section.

Further amend the bill by re-numbering section 6 to read section 5.

On motion of Mrs. Brungot of Berlin the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 112, An Act relative to practice of medicine and suspension of licenses in certain cases.

Senate Bill No. 116, An Act relating to the powers and duties of towns.

### **Senate Bills Read and Referred**

By Senator Smalley of District No. 21, Senate Bill No. 112, An Act relative to practice of medicine and suspension of licenses in certain cases. To the Committee on Public Health.

By Senator O'Malley of District No. 18, Senate Bill No. 116, An Act relating to the powers and duties of towns. To the Committee on Executive Departments and Administration.

### **Resolutions**

Mr. Pickett of Keene offered the following resolution:

*Whereas*, for many years, Harry P. Smart of Ossipee has served his community in various capacities, and his state in

this body, in the Honorable Senate and as a member of the Governor's Council, and

*Whereas*, said Harry P. Smart has been an ardent proponent of the merit and advertising value of the "Old Man of the Mountains," and

*Whereas*, the postal department of the United States Government has seen fit to honor the state of New Hampshire with a stamp commemorating the "Old Man of the Mountains," partly through the efforts of Mr. Smart, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire General Court do hereby extend our felicitations and congratulations to our former member for his unstinting efforts and continued service in behalf of his state, and be it further

*Resolved*, that a copy of these resolutions be forwarded to Mr. Smart.

On a *viva voce* vote the resolution was adopted.

Mr. Maloomian of Somersworth offered the following resolution:

*Whereas*, Dwight D. Eisenhower, President of the United States, is to attend a meeting of the "Big Four" at Geneva, Switzerland, on July 17, 1955, and

*Whereas*, Russia has taken by force the countries of Armenia, Georgia, and Aderbejian, in Asia, and Estonia, Latvia and Lithuania, in Europe, all of which were formerly free countries, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire General Court, respectfully request President Eisenhower to do all in his power to recommend and urge at this meeting that these countries be given their freedom, and be it further

*Resolved*, that the Clerk of the House transmit to President Eisenhower a copy of these resolutions.

The resolution was referred to the Committee on Judiciary.

On motion of Mr. Wadleigh of Milford, the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by

title and resolutions by caption only, and when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 257, An Act relative to the change of designation of the deputy director of recreation and to the salary of said office.

House Bill No. 362, An Act relative to dredging Hampton Harbor, protection of shore at Boar's Head in the town of Hampton and a study of seacoast erosion problems.

House Bill No. 532, An Act to provide for cumulative pocket supplements to Revised Statutes Annotated.

House Joint Resolution No. 35, Joint Resolution in favor of the Y. D. National Convention.

House Joint Resolution No. 52, Joint Resolution relative to purchase of boat for the fish and game department.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 97, An Act relative to the establishment of a centralized bureau for the reproduction of state documents.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

On motion of Mrs. Atwood of Sanbornton at 1:23 o'clock the House adjourned.

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TUESDAY, JULY 5, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. H. Franklin Parker, Chichester Congregational Church.

Eternal God, Who hast granted unto us the measure of protection that has kept us through the night and brought us to rejoice in the light of this day, we come to Thee with thankful hearts remembering Thy mercies which are new every morning and fresh every evening. Endue us with a keen sense of appreciation and gratitude as we keep in mind that it has been the strong arm of our God about us that has strengthened and sustained us.



May Thy blessing attend this convocation of representatives assembled in this venerable hall. Give to them wisdom and courage that in all their ways they may do justly, love mercy, and walk humbly with Thee.

We pray for the President of the United States and for all who are joined with him in authority. May they find in Thee their strength and their sufficiency. Amen.

### Salute to the Flag

Mr. Lamprey of Moultonborough led the convention in the salute to the flag.

### Leaves of Absence

Mr. Green of Rollinsford was granted an indefinite leave of absence on account of important business.

Mr. Coddington of Keene was granted leave of absence for the week on account of death in the family.

Mr. Huckins of Plymouth and Mrs. Wentworth of Madbury were granted leave of absence for the day on account of illness.

Messrs. Black of Bennington, Gay of New London and Mrs. Bean of Webster were granted leave of absence for the day on account of important business.

Messrs. Gelinas of Manchester, Robertson of Gilmanton and Pierce of Plainfield and Mrs. Millar of Claremont were granted leave of absence for the week on account of important business.

### Committee Reports

Mr. Sheridan of Berlin, for the Committee on Appropriations, to whom was referred House Bill No. 448, An Act relative to the appeal board in public construction contracts, providing for a deputy labor commissioner, and relative to board of arbitration, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out all after the word "council" in the fourteenth line and inserting in place thereof the following: If while an appeal is pending any member of the appeal board, by reason of illness, absence from the state or otherwise, is unable to perform his duties, the

governor shall appoint a person to act in his stead with respect to that appeal then pending. Upon the filing of an appeal hereunder, the appeal board shall fix a time and place for a public hearing thereon to be held not later than seven days after filing of the appeal, Saturdays, Sundays and holidays excepted; and the commissioner of labor shall give written notice thereof to any public awarding agencies concerned, and to all interested associations and organizations of employers and employees in the construction industry deemed by him to be affected by the appeal. Within forty-eight hours after adjournment of the hearing, the board shall submit its decision in writing to the commissioner of labor who shall forward copies thereof to all parties deemed by him to be interested in the appeal and affected thereby, so that said section as amended shall read as follows:

1. *Board of Appeal.* Amend section 3 of chapter 214 of the Revised Laws (section 3, chapter 280, RSA) as amended by section 2, chapter 248, Laws of 1951 by striking out said section and inserting in place thereof the following: 3. *Appeal.* Within fifteen days after such wage rates shall be determined in accordance with the provisions of the preceding sections 1 and 2, such rates may be appealed by an association of employees or employers, any two citizens of the state, or any public awarding agency, such appeal to be heard before a board of three, constituted as follows: The governor and council shall appoint two members for a term of two years each. Employers and organized employees in the construction industry shall each be represented on said board. The third member of said board shall be appointed by the first two members, and in case the two cannot agree on the third member within thirty days after their own appointment, said third member shall be appointed by the governor and council. If while an appeal is pending any member of the appeal board, by reason of illness, absence from the state or otherwise, is unable to perform his duties, the governor shall appoint a person to act in his stead with respect to that appeal then pending. Upon the filing of an appeal hereunder, the appeal board shall fix a time and place for a public hearing thereon to be held not later than seven days after filing of the appeal, Saturdays, Sundays and holidays excepted; and the commissioner of labor shall give written notice thereof to any public

awarding agencies concerned, and to all interested associations and organizations of employers and employees in the construction industry deemed by him to be affected by the appeal. Within forty-eight hours after adjournment of the hearing, the board shall submit its decision in writing to the commissioner of labor who shall forward copies thereof to the parties deemed by him to be interested in the appeal and affected thereby.

Amend section 4 of the bill by striking out the word "twenty" in the fourth and sixth lines and inserting in place thereof the word, sixteen, so that said section as amended shall read as follows: 4. *Board of Arbitration*. Amend section 24 of chapter 210 of the Revised Laws (section 25, chapter 273, RSA) by striking out the word "eight" in the first line and inserting in place thereof the word, sixteen, so that said section as amended shall read as follows: 24. *Compensation*. Such arbitrators shall receive sixteen dollars a day for each day actually engaged in such arbitration and their necessary traveling expenses; to be paid upon vouchers signed by the commissioner, with the approval of the governor, out of funds appropriated for the maintenance of the department of labor.

Reading of the amendment having commenced, on motion of Mr. Sheridan of Berlin further reading was dispensed with. The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Davis of Hopkinton, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 6, Joint Resolution providing an appropriation for works of improvement on small watersheds, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend the joint resolution by striking out the word "ten" in the sixth line and inserting in place thereof the word, two, so that said joint resolution as amended shall read as follows:

*That* there is hereby appropriated for the purpose of assisting in carrying out joint federal-state-local projects for

watershed protection and flood prevention in small watersheds under the provisions of chapter 266, Revised Laws, and amendments thereto, and in cooperation with the federal government under the Watershed Protection and Flood Prevention act of the 83rd Congress, the sum of two thousand dollars for the year ending June 30, 1956, and a like sum for the year ending June 30, 1957, and the governor is hereby authorized to draw his warrants for said sums out of any money in the treasury not otherwise appropriated. The money herein appropriated shall be used only for operating and maintaining such works of improvement in accordance with regulations presented by the United States Secretary of Agriculture. The sums hereby appropriated shall not lapse but shall be added to the appropriations for the water resources board of any succeeding fiscal year to be used for the purpose herein contained.

Reading of the amendment having commenced, on motion of Mr. Scamman of Stratham further reading was dispensed with.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the joint resolution ordered to a third reading.

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 10, Joint Resolution in favor of the New Hampshire Veterans' Association, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend the joint resolution by striking out the words and figures "three thousand dollars (\$3,000)" and inserting in place thereof the words and figures, fifteen hundred dollars (\$1,500) so that said joint resolution as amended shall read as follows:

*That* the sum of fifteen hundred dollars (\$1,500) for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957, are hereby appropriated for the New Hampshire Veterans' Association for the purpose of repairs and maintenance of the buildings and grounds of said association at the Weirs. The governor is authorized to draw his warrant for the sums hereinabove appropriated out of any money in the treasury not otherwise appropriated.

The report was accepted and the joint resolution ordered to a third reading.

Miss Bailey of Newport, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 49, Joint Resolution relative to a road in Fitzwilliam and providing for a study of access highways to state reservations, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 426, An Act providing for a special commission to study the problem of a veterans' memorial to be erected at The Weirs, having considered the same, reported the same with the following resolution:

*Resolved*, That the bill be referred to the Legislative Council.

The report was accepted and the resolution of the committee adopted.

Mr. Rowell of Newport, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 27, Joint Resolution to continue and extend the study of groundwater resources within the state, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend the joint resolution by striking out the words "planning and development commission" in the first line and inserting in place thereof the words, water resources board. Further amend said resolution by striking out the word "ten" in the seventh line and inserting in place thereof the word, five, so that the joint resolution as amended shall read as follows:

*That* the water resources board is hereby authorized and directed to continue and extend the survey and investigations of the groundwater resources of New Hampshire. To this end, the commission is authorized to enter into contracts with the United States Geological Survey. The findings of such surveys shall be made available to the public by means of maps or



printed matter to be published or maintained in open file for reference. The sum of five thousand dollars each year is hereby appropriated for the next biennium, for the conduct of this survey and investigation, this sum to be matched by federal funds, and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. The amount appropriated for the first fiscal year shall not lapse.

Reading of the amendment having commenced, on motion of Mr. Scamman of Stratham further reading was dispensed with.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the joint resolution was ordered to a third reading.

Mr. Rowell of Newport, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 28, Joint Resolution to provide for a cooperative aerial geophysical survey of portions of the State of New Hampshire, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass:

Amend the joint resolution by striking out the word "ten" in the eighth line and inserting in place thereof the word, five, so that said joint resolution as amended shall read as follows:

*That*, the planning and development commission is hereby authorized and directed to survey and investigate by mean of airborne geophysical techniques, the presence of deposits of magnetic and related minerals and radioactive minerals in the state. To this end the commission is authorized to enter into contracts with the United States Geological Survey of United States Department of Interior. The findings of such surveys shall be made available to the public by means of maps or printed matter to be published or maintained in open file for reference. The sum of five thousand dollars each year is hereby appropriated for the next biennium, for the conduct of this survey and investigation, this sum to be matched by federal funds, and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. The amount appropriated for the first fiscal year shall not lapse.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Metcalf of Tilton, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 108, An Act relative to interest refunds to members of credit unions, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

#### **Taken from the Table Under Rule No. 48**

House Bill No. 382, An Act relative to cooperative school districts.

The question being on the amendment, as printed in the Journal for Wednesday, June 29.

On a *viva voce* vote the amendment was adopted.

Mr. Metcalf of Tilton offered the following amendment:

Amend section 14 of the bill as inserted by the committee report by inserting after the word "cooperative" in the sixth line the words, or union school, so that said section as amended shall read as follows:

14. *Additional Aid.* Amend chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by inserting after section 15 the following new section: 15-a. *Building Aid.* For the purposes of receiving state building aid, or other similar aid toward school buildings, which may hereafter be provided, the amount of such aid for cooperative school districts shall apply only to those cooperative or union school districts which are formed from two or more districts from two or more towns. A cooperative school district formed from two or more school districts within one town shall be deemed to be a school district and not a cooperative district in so far as receipt of state building or other similar aid toward school buildings is concerned.

The question being on the amendment.

Messrs. Metcalf of Tilton and Vaughan of Newport spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

### Special Order

Mr. Faulkner of Keene called for the Special Order for 11:01 o'clock; it being House Bill No. 380, An Act providing for liens in favor of hospitals.

The question being on the resolution of the committee, that it is inexpedient to legislate.

Mrs. Brungot of Berlin spoke in favor of the question.

Mr. Firestone of Claremont moved that the words "ought to pass" be substituted for the words, inexpedient to legislate.

Mr. Firestone of Claremont spoke in favor of the motion.

Mr. Craig of Manchester moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Craig of Manchester, Faulkner of Keene, Healy of Manchester, Ward 6, Brown of Strafford and Bennett of Keene, and Mrs. Brungot of Berlin spoke in favor of the motion.

Messrs. Lamprey of Moultonborough, Moher of Dover, Perley of Lebanon, Bradley of Hanover, Campion of Hanover, Barney of Rumney, and Pickett of Keene, and Mrs. Frizzell of Charlestown spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Craig of Manchester called for a division.

A division being had, 134 members having voted in the affirmative, and 150 members having voted in the negative, the motion did not prevail.

The question being on the motion to substitute the words "ought to pass."

On a *viva voce* vote the motion prevailed, and the bill was ordered to a third reading.

### Report of Committee on Engrossed Bills

Mrs. Palmer of Plaistow, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate and House bills:

Senate Bill No. 32, An Act relative to the sale of narcotics to minors.

House Bill No. 189, An Act relating to the placing of fill in great ponds.

House Bill No. 249, An Act relative to the New Hampshire shore and beach preservation commission and Kingston state park.

House Bill No. 331, An Act relative to protection of public water supply.

House Bill No. 374, An Act relating to assistance to municipalities by tax commission in appraising taxable property.

House Bill No. 475, An Act relative to salaries of various county officials of Belknap, Cheshire, Coos, Grafton, Merrimack and Strafford counties.

House Bill No. 509, An Act relating to deposits by the state treasurer.

House Bill No. 515, An Act relative to transfer of liquor licenses and beverage permits to clubs in certain cases.

House Bill No. 534, An Act legalizing certain meetings of the town of Seabrook.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to discharge the Committee of Conference on Senate Bill No. 83, An Act relative to Colby Junior College Highway and Sutton Road, and the President appointed as members of the new Committee of Conference, Senator Colburn, District No. 12, and Senator Landers, District No. 10.

The message further announced that the Senate had voted to accede to the House of Representatives for a Committee of Conference on the following entitled bills:

House Bill No. 223, An Act to simplify requirements for absentee voting.

Pursuant to the above, the President appointed as members of such committee on the part of the Senate, Senators Cleveland, District No. 7, and Senator O'Malley, District No. 18.

House Bill No. 450, An Act relative to non-resident fishing licenses.

Pursuant to the above, the President appointed as members of such committee on the part of the Senate, Senator Washburn, District No. 4, and Senator O'Brien, District No. 2.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on:

Senate Bill No. 68, An Act relative to the salaries of the Board of Public Works and the Justice of the Municipal Court of the City of Laconia.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills, sent up from the House of Representatives:

House Bill No. 509, An Act relating to deposits by the state treasurer.

House Bill No. 534, An Act legalizing certain meetings of the town of Seabrook.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

Senate Bill No. 32, An Act relative to the sale of narcotics to minors.

House Bill No. 189, An Act relating to the placing of fill in great ponds.

The message further announced that the Senate had voted to non-concur with the House of Representatives in its amendments to Senate Bill No. 31, An Act relative to manufacture or sale of sling shots, black jacks, etc., and asks for a Committee of Conference.

Pursuant to the above, the President appointed as members of such committee on the part of the Senate, Senator Powell, District No. 9, and Senator Matthews, District No. 5.

On motion of Mr. Pillsbury of Sandown the House acceded to the request of the Honorable Senate for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House, Messrs. Rainie of Concord, Pillsbury of Sandown, and Skinner of Alton.



The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 41 (In New Draft), An Act to provide assistance for education in the academies, seminaries of learning, colleges and other educational institutions of this state.

Senate Bill No. 96, An Act providing for referendum vote on the use of fluorides in public water supplies.

Senate Bill No. 119, An Act concerning the investments of savings banks.

### **Senate Bills Read and Referred**

Senate Bill No. 41 (In New Draft), An Act to provide assistance for education in the academies, seminaries of learning, colleges and other educational institutions of this state, read a first and second time and referred to the Committee on Education.

Senate Bill No. 96, An Act providing for referendum vote on the use of fluorides in public water supplies, read a first and second time and referred to the Committee on Public Health.

Senate Bill No. 119, An Act concerning the investments of savings banks, read a first and second time and referred to the Committee on Banks.

### **Committee of Conference Discharged**

Mr. Rogers of Laconia moved to discharge the Committee of Conference on Senate Bill No. 83, An Act relative to Colby Junior College Highway and Sutton Road, and asked that a new Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed.

The Speaker appointed as members of such new Committee of Conference on the part of the House, Messrs. Bradley of Hanover, Remick of Tamworth and Mrs. Reney of Grantham.

### **Resolutions**

Mrs. Lareau and Mr. Morris, for the Manchester Delegation, offered the following resolution:

*Whereas*, Beatrice B. Cary, Representative from Manchester, was badly injured in an automobile accident and is seriously ill in hospital, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire General Court, hereby express our sympathy to our fellow member and our best wishes for a speedy recovery to health, and be it further

*Resolved*, that the Clerk send flowers to Mrs. Cary and a copy of these resolutions.

On a *viva voce* vote the motion prevailed.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title and joint resolutions by caption only, and when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 380, An Act providing for liens in favor of hospitals.

Read a third time and passed, and sent to the Senate for concurrence.

Mr. Haley of Keene moved that the House reconsider its vote whereby it passed House Bill No. 380.

The question being on the motion.

Mr. Healy of Manchester called for a division.

A division being had, 35 members having voted in the affirmative, and 164 members having voted in the negative, the motion was lost.

Mr. Pillsbury of Manchester called for a second division.

A second division being had, 78 members having voted in the affirmative, and 171 members having voted in the negative, the motion did not prevail.

House Bill No. 382, An Act relative to cooperative school districts.

House Bill No. 448, An Act relative to the appeal board in public construction contracts, providing for a deputy labor commissioner, and relative to board of arbitration.

House Joint Resolution No. 6, Joint Resolution providing an appropriation for works of improvement on small water-sheds.

House Joint Resolution No. 10, Joint Resolution in favor of the New Hampshire Veterans' Association.

House Joint Resolution No. 27, Joint Resolution to continue and extend the study of groundwater resources within the state.

House Joint Resolution No. 28, Joint Resolution to provide for a cooperative aerial geophysical survey of portions of the State of New Hampshire.

House Joint Resolution No. 49, Joint Resolution relative to a road in Fitzwilliam and providing for a study of access highways to state reservations.

Severally read a third time and passed, and sent to the Senate for concurrence.

Senate Bill No. 108, An Act relative to interest refunds to members of credit unions.

Read a third time and passed, and sent to the Secretary of State to be engrossed.

### Recapitulation of Page VIII, Exhibit B, of the Budget

Unappropriated Surplus June 30, 1954	\$3,222,951.00	
Unrestricted Revenue Estimates Current Year	15,438,744.12	
Total Available for Net Appropriations	\$18,661,695.12	
Net Appropriations Current Year	\$15,251,071.56	
Debt Requirements General		
Fund	\$1,184,946.25	
Less U.N.H. Refund	228,080.00	
	956,866.25	
Total Outgo		16,207,937.81
Estimated Surplus June 30, 1955	\$2,453,757.31	
Estimated Revenue Fiscal Year 1956 (Without new revenue measures)	16,419,527.00	
Retirement of Inventory Bonds	214,000.00	
Total Available	\$19,087,284.31	
Net Appropriations Recommended (1956)	\$16,958,021.24	
(as passed by House)		
Debt Requirements	\$1,571,477.50	
Less U.N.H. Refund	225,101.25	
	1,346,376.25	
Total Outgo		18,304,397.49
Estimated Balance June 30, 1956	\$782,886.82	
Estimated Revenue Fiscal Year 1957 (Excluding new Revenue Legislation)	16,466,308.00	
Retirement of Inventory Bonds	214,000.00	
Total Available	\$17,463,194.82	

## Net Appropriations Recommended

1957	\$17,210,873.23
(As passed by the House)	
Debt Requirements	\$1,333,457.50
Less U.N.H. Refund	222,122.50
	<hr/> 1,111,335.00

## Total Outgo

18,322,208.23

## Estimated Deficit June 30, 1957

—\$859,013.41

## New Revenue Enacted into Law by Present Session:

Increase in Racing	\$840,000.00
Assessment on Utilities	140,000.00
Corp. Fees, Partnership, etc.	130,000.00
	<hr/> 1,110,000.00

## Revised Revenue Estimate

Estimated Surplus June 30, 1957		\$250,986.59
	1956	1957
General Property Taxes	\$1,150,000.00	\$1,175,000.00
Special Taxes	1,457,377.00	1,435,700.00
(1) Poll or Personal Taxes	4,240,000.00	4,240,000.00
(2) Business License Taxes	2,623,000.00	2,637,390.00
Non-Business License Taxes	11,700.00	11,900.00
Fees	101,540.00	103,115.00
Penalties and Interest	7,500.00	7,500.00
Rents and Leases	236.00	236.00
Interest Premium and Discount	12,100.00	12,100.00
Sales of Commodities	13,300.00	13,400.00
(3) Sales of Services	635,675.00	640,675.00
(4) Other Revenue	6,188,766.00	6,189,292.00
Total	<hr/> \$16,419,527.00	<hr/> \$16,466,308.00

- (1) Reflects increase of \$50,000 on Tobacco Tax and decrease of \$50,000 on Head Tax each year.
- (2) Reflects increase estimate of \$75,000 on Insurance Tax each year.
- (3) Reflects increase of \$50,000 in collection from patients in Institutions.
- (4) Increase Estimates from Liquor profits of \$50,000 annually.

On motion of Mrs. Sadler of Portsmouth at 1:17 o'clock the House adjourned.

WEDNESDAY, JULY 6, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, Who hast made us a free people, in these days when that freedom is so emphatically brought to our mind, help us to ever remember that this great heritage must not be abused. Remind us always that our freedom must not interfere with the freedom of others so long as they and we live within Thy laws and moral standards Thou hast set for us. Thy Son has said: "Ye shall know the truth, and the truth shall make you free." Break, O Lord, we beseech Thee, every bond that enslaves us, and scatter all superstitions that corrupt the truth; that rejoicing in that liberty wherewith Thy Son hath made us free, we may learn to worship Thee in spirit and in truth, and more fully understand and appreciate the blessings of freedom. Through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mr. Rogers of Laconia led the convention in the salute to the flag.

### Leaves of Absence

Mr. Locke of New Boston was granted leave of absence for the day on account of important business.

Mr. Dana of Laconia was granted leave of absence for Wednesday and Thursday on account of important business.

### Introduction of Guests

The Speaker introduced the following civic leaders in the Ryukyu Islands:

Mr. Shuden Higa, a school teacher and school principal and Chief of Education Section of Taira City, Miyako Island.

Mr. Utaro Higa, a school teacher and in 1950 became Headmaster of Nago Village, and is now representing Nago District in the G.R.I. Legislature.

Mr. Mashi Toyama, a school teacher for twenty-five years and a principal for ten years. In 1952 he became a member of the Ryukyuan Legislature.

Mr. Tadao Kobayashi, a graduate student at Michigan State College, and at the request of the U. S. Department of the Army is traveling as escort-interpreter.



**Communication**

The Speaker read the following letter:

THE WHITE HOUSE  
Washington

June 29, 1955

*Dear Friends:*

Your wonderful gift, which the President brought back to me from Concord, makes me realize more than ever the generous and friendly spirit of the people of New Hampshire.

I am truly delighted with this handsome Revere silver bowl, and am especially impressed by the inscription which it bears. It will serve as a permanent souvenir of your friendship. I only wish that it might have been possible for me to thank you personally.

With deepest appreciation, and every good wish,

MAMIE DOWD EISENHOWER.

The General Court of New Hampshire  
c/o The Honorable Charles Griffin  
Speaker of the House of Representatives  
Concord, New Hampshire

The Speaker read the following letter:

H.M.S. VERYAN BAY,  
at Portsmouth,  
New Hampshire.  
30th June, 1955

*His Honour, The Speaker,*  
House of Representatives,  
New Hampshire State Legislature,  
Concord,  
New Hampshire.

SIR:

I have the honour to thank you for the great privilege and courtesy which you and the Members of the House of Representatives extended to me yesterday. It was a very real honour which you bestowed upon my country and I am deeply conscious of it.

I have the honour to request that you would be kind enough to carry to the Representative from Exeter and the

members of the House my grateful thanks for proposing and endorsing the resolution and to all of you for listening so patiently.

I have the honour to be,

Sir,

Your obedient servant,

PATRICK LAWFORD

(L.R.P. LAWFORD)

*Commander, Royal Navy,*

*Commanding Officer.*

### Committee Reports

Mr. Malley of Somersworth, for the Committee on Appropriations, to whom was referred Senate Bill No. 36, An Act relative to funds for the New Hampshire Tri-State Commission, having considered the same, reported the same with the following amendment, and recommended that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act abolishing the New Hampshire tri-state commission and transferring its duties to the legislative council.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Commission.* The New Hampshire Tri-State Commission constituted by chapter 198, Laws of 1953, is hereby abolished and the terms of office of the commissioners in office when this act takes effect shall expire as of the said date. Sections 1, 2, 3 and 4 of chapter 198, Laws of 1953 are hereby repealed.

2. *Transfer of Powers and Duties.* All powers and duties of the tri-state commission, as set forth in section 5, chapter 198, Laws of 1953, together with all records are hereby transferred to the legislative council.

3. *Funds.* Amend section 6 of chapter 198, Laws of 1953 by striking out said section and inserting in place thereof the following:

6. *Appropriation; Expenditures.* The sum of two thou-

sand dollars is hereby appropriated for the use of the legislative council to carry out the provisions of section 5. The appropriation hereunder shall be a continuing appropriation and shall not lapse. The sum hereby appropriated may be used for necessary clerical expenses and supplies and for reimbursement for mileage for members of the council while attending any meeting of the council for discussion of tri-state matters.

4. *Takes Effect.* This act shall take effect upon its passage.

Reading of the amendment having commenced, on motion of Mr. Scamman of Stratham further reading was dispensed with.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 36, An Act to provide recognition of the war service of residents of this state who served in the armed forces of the United States during the Korean conflict, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 5 of said bill by striking out the words "five hundred thousand" where they occur so that said section as amended shall read as follows:

5. *Bond Issue Authorized.* In order to provide the funds for the payment of the bonus authorized hereunder, together with the administrative costs thereof, the sum of one million dollars or so much thereof as may be necessary, is hereby appropriated and the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not exceeding one million dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. Such bonds or notes shall be deemed a pledge of the faith and credit of the state.

Amend section 7 of said bill by striking out the words "five hundred thousand" so that said section as amended shall read as follows:

7. *Short-Term Notes.* Prior to the issuance of the bonds hereunder the state treasurer, with the approval of the governor and council, may for the purposes hereof borrow money from time to time on short-term notes which may be refunded by the issuance of the bonds hereunder. Provided, however, that at no one time shall the indebtedness of the state on such short-term notes exceed the sum of one million dollars.

Further amend said bill by inserting after section 8, the following new section:

9. *Discount on Sales of Liquor to Hotels and Clubs.* Amend chapter 170 of the Revised Laws (chapter 176, RSA) by inserting after section 14 the following new section: 14-a. *Prohibition.* When fixing the price for sale of liquor to hotels and clubs the commission shall not allow any discount of more than five per cent from the retail sale price.

Further amend said bill by renumbering section 9 to read section 10.

The report was accepted.

The question being on the amendment.

(Discussion ensued)

Mr. Clarke of Canaan spoke in favor of the amendment.

Mr. Karkavelas of Dover spoke against the amendment.

Mr. Lavoie of Manchester rose to inquire if an amendment containing the same subject matter as a bill previously indefinitely postponed could be considered again.

### Speaker's Ruling

Rule No. 26 — Indefinite postponement.

On the substance of an amendment being the same as that of a bill previously indefinitely postponed.

The request for a Speaker's ruling arises from a parliamentary inquiry by a member as to the propriety of a committee amendment alleged to be the same as the substance of a bill which had been indefinitely postponed by the House at an earlier date (in this session) and of which further consideration had been denied.

The facts are that the matter indefinitely postponed at an earlier date concerned a prohibition that the Liquor Commission could not grant discounts greater than 2 per cent to hotel

and club purchases as well as increased license fees for the same. The committee amendment stated "when fixing the price for sale of liquor to hotels and clubs, the commission shall not allow any discount of more than 5 per cent from the retail sale price."

The Chair rules that under a precedent reaffirmed as lately as 1951, such an amendment is in order and further, it is acceptable not only on the ground that such a precedent has been established but it is also acceptable on the grounds that the amendment is substantially different in substance from that of the bill, the further consideration of which had been indefinitely postponed earlier in the session.

The measure referred to involved an increase in license fees to clubs and hotels as well as a reduction in the amount of discounts that should be permitted to them. This amendment simply involved another and different rate in the amount of discount that could be granted to the clubs and hotels. It is, therefore, obvious that the substance of the amendment in question is materially different from the substance of the bill, which had been indefinitely postponed.

Mr. Pillsbury of Manchester was recognized to speak on the question but yielded the floor to Mr. Lavoie of Manchester.

Mr. Lavoie of Manchester moved that Sec. 9 of the proposed amendment be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Lavoie of Manchester, Pickett of Keene, Waling of Keene, Rainie of Concord, Jones of Lebanon, Clement of Rochester and Karkavelas of Dover spoke in favor of the motion.

Messrs. Pillsbury of Manchester, Malley of Somersworth, Plumer of Bristol, Scamman of Stratham and Mrs. Dondero of Portsmouth spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Karkavelas of Dover called for a division.

A division being had, 77 members having voted in the affirmative, and 212 members having voted in the negative, the motion did not prevail.

The question being on the amendment.



On a *viva voce* vote the amendment was adopted, and the bill was ordered to a third reading.

Mr. Scamman of Stratham moved that the bill be put upon its third reading and final passage, by title only, at the present time.

On a *viva voce* vote the motion prevailed and House Bill No. 36, An Act to provide recognition of the war service of residents of this state who served in the armed forces of the United States during the Korean conflict, was read a third time and passed and sent to the Senate for concurrence.

### Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it passed House Bill No. 36.

On a *viva voce* vote the motion did not prevail.

Mr. Smith of Manchester, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 4, Joint Resolution relative to a study of multiple-use of the Lake Massabesic Region, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mrs. Griffin of Auburn moved that the words "ought to pass" be substituted for the words, inexpedient to legislate.

The question being on the motion.

(Discussion ensued)

Mrs. Griffin of Auburn, Mrs. Atwood of Sanbornton and Messrs. Mahony, Craig, Pillsbury, Geisel and Corey of Manchester, Bradley of Hanover, Hart of Laconia and Skinner of Alton spoke in favor of the motion.

Messrs. Smith of Manchester and Scamman of Stratham spoke against the motion.

On a *viva voce* vote the motion prevailed.

Mr. Dwyer of Manchester called for a division but subsequently withdrew his demand.

The bill was ordered to a third reading.

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 17,

Joint Resolution relating to teachers' retirement system study, having considered the same, reported the same with the recommendation that the Joint Resolution ought to pass.

The report was accepted and the joint resolution was ordered to a third reading.

Mr. Cole of Lebanon, for the Joint Committees on Resources, Recreation and Development and Appropriations, to whom was referred Senate Bill No. 66, An Act creating an industrial development authority, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being, Shall the bill be read a third time?

(Discussion ensued)

Messrs. Pillsbury of Manchester and Malley of Somersworth, and Mrs. Brungot of Berlin spoke in favor of the question.

Mr. Rainie of Concord spoke against the question.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Coddington of Keene, for the Committee on Judiciary, to whom was referred Senate Bill No. 111, An Act relative to nature of the tax on tobacco products, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Angus of Claremont, for the Committee on Labor, to whom was referred Senate Bill No. 92, An Act relative to authority of towns to enter into collective bargaining contracts with labor unions, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mrs. DeLude of Unity, for the Committee on Municipal and County Government, to whom was referred House Bill No. 146 (In Second New Draft), An Act to control motor vehicle and machinery junk yards and public dumps, having considered the same, reported the same with the following amendment.

and the recommendation that the bill as amended ought to pass.

Amend section 3 of the bill by striking out the word "average" in the seventh line and inserting in place thereof the words, density of, so that said section as amended shall read as follows: 3. *Exemptions.* Amend chapter 165 of the Revised Laws as inserted by chapter 133, Laws of 1949 (chapter 147, RSA) by inserting after section 26 the following new section: 26-a. *Towns Exempt.* Upon written request from the selectmen or corresponding public officer, the state board of health may exempt a town from the requirements of the previous section. When considering the request for such an exemption the board shall consider the need of such facilities in light of the town's density of population and whether or not the town has arranged to share public dumping facilities with a neighboring town.

The report was accepted.

Mr. Deans of Milford spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 97, An Act relative to the establishment of a centralized bureau for the reproduction of state documents, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Rules and Regulations.* If such a bureau is established the governor may make rules and regulations relative to the reproduction of forms, letters, papers, reports and the like by said bureau.

Amend the first sentence of section 5 by striking out the words "original documents" and inserting in place thereof the words, forms, letters, papers, reports and the like, so that said sentence as amended shall read as follows:

The governor is authorized to transfer to the bureau so established any equipment belonging to any department or

agency used in the mimeographing, photostating, multilithing, microfilming or by any other method of reproducing forms, letters, papers, reports and the like, except in cases where such transfer would affect the receipt of federal aid to such department or agency.

On motion of Mr. Faulkner of Keene, the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was sent to the Senate for concurrence in the amendment.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 172, An Act relative to mileage rate for state employees using private cars.

Amend sections 1 and 2 of said bill by striking out the same and inserting in place thereof the following:

1. *State Officials and Employees.* State officials and employees using private cars in the conduct of official state business shall be reimbursed for mileage at the following rates, based on the number of miles traveled in any one fiscal year: For the first 12,000 miles seven cents per mile, for the next 6,000 miles six cents per mile, and for all miles in excess of 18,000 miles five cents per mile.

2. *Appropriation.* The sum of fifty-nine thousand, five dollars, and twenty-one cents, or so much as may be necessary, is hereby appropriated for the various departments of the state for the additional mileage allowances provided herein, for the fiscal year ending June 30, 1956, and the sum of fifty-seven thousand six hundred and fifty dollars and ninety-eight cents, or so much as may be necessary for said purposes, is hereby appropriated for the fiscal year ending June 30, 1957. Of the above sum for the fiscal year ending June 30, 1956 the sum of twenty-six thousand eight hundred and ninety-six dollars and ninety-eight cents shall be a charge on the general funds and of said sum the sum of five thousand one hundred

and seventy-four dollars and twenty-six cents shall be transferred to the special fund for the department of public welfare; the balance of said appropriation for said fiscal year shall be a charge upon the so-called self-sustaining funds and/or federal funds. Of the above sum for the fiscal year ending June 30, 1957, the sum of twenty-seven thousand, one hundred and forty-two dollars and eighteen cents shall be a charge on the general funds and of said sum the sum of five thousand one hundred and seventy-four dollars and twenty-six cents shall be transferred to the special fund for the department of public welfare; the balance of said appropriation for said fiscal year shall be a charge upon the so-called self-sustaining funds and/or federal funds. The governor is hereby authorized to draw his warrants for the sums hereby appropriated.

On motion of Mr. Crandall of Dover the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 118, An Act relating to the school district of the town of Rye.

### **Senate Bill Read and Referred**

Senate Bill No. 118, An Act relating to the school district of the town of Rye, read a first and second time and referred to the Committee on Executive Departments and Administration.

### **Resolution**

Mr. Faulkner of Keene offered the following resolution:

*Whereas*, Howard E. Page, Jr. of Keene has passed away, and

*Whereas*, Mr. Page was a former representative from the city of Keene, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire General Court, pay tribute to our former fellow member for his services to his state, and



extend our sympathy to the family in its bereavement, and be it further

*Resolved*, that the Clerk of the House transmit a copy of these resolutions to the family.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title and resolutions by caption only, and when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Bill No. 146 (In Second New Draft), An Act to control motor vehicles and machinery junk yards and public dumps.

House Joint Resolution No. 4, Joint Resolution relative to a study of multiple-use of the Lake Massabesic Region.

House Joint Resolution No. 17, Joint Resolution relating to teachers' retirement system study.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 36, An Act abolishing the New Hampshire Tri-State Commission, transferring its duties to the legislative council.

Read a third time and passed, and sent to the Senate for concurrence in the amendment.

Senate Bill No. 66, An Act creating an industrial development authority.

Senate Bill No. 92, An Act relative to authority of towns to enter into collective bargaining contracts with labor unions.

Senate Bill No. 111, An Act relative to nature of the tax on tobacco products.

Severally read a third time and passed, and sent to the Secretary of State to be engrossed.

### Statement of Bills Reported by Appropriations Committee But Not Yet Acted Upon by the House

House Bill No. 25 (New Draft)	\$100,000.00
House Bill No. 136 — School Building Aid	350,000.00
Other Bills and Joint Resolutions	186,000.00
	<hr/>
Total	\$636,000.00

### Statement on Available Funds for Legislative Specials

Estimated Lapses Fiscal Year 1955	\$350,000.00
Revenue from Timber Tax (as recommended by Appropriations Commission)	107,000.00
Transfer from Economic Poison Fund	6,000.00
	<hr/>
Total	\$463,000.00

### Statement as to Bills Passed Both Houses as of June 30, 1955

Total	\$300,818.71
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### Statement on Bills Passed House, Now in Senate

Total	\$85,601.00
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### Recapitulation of Page VIII, Exhibit B, of the Budget

Unappropriated Surplus June 30, 1954	\$3,222,951.00
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### Recapitulation of Page VIII, Exhibit B, of the Budget

Unappropriated Surplus June 30, 1954	\$3,222,951.00
Unrestricted Revenue Estimates Current Year	15,438,744.12

Total Available for Net Appropriations	\$18,661,695.12
Net Appropriations Current Year	\$15,251,071.56
Debt Requirements General	
Fund	\$1,184,946.25
Less U.N.H. Refund	228,080.00
	<hr/>
	956,866.25

Total Outgo	16,207,937.81
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Estimated Surplus June 30, 1955	\$2,453,757.31
Estimated Revenue Fiscal Year 1956 (Without new revenue measures)	16,419,527.00
Retirement of Inventory Bonds	214,000.00
	<hr/>
Total Available	\$19,087,284.31

## Net Appropriations Recommended

(1956)	\$16,958,021.24
(as passed by House)	
Debt Requirements	\$1,571,477.50
Less U.N.H. Refund	225,101.25
	<hr/> 1,346,376.25

Total Outgo	<hr/> 18,304,397.49
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Estimated Balance June 30, 1956	\$782,886.82
Estimated Revenue Fiscal Year 1957	16,466,308.00
(Excluding new Revenue Legislation)	
Retirement of Inventory Bonds	<hr/> 214,000.00

Total Available	\$17,463,194.82
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## Net Appropriations Recommended

(1957)	\$17,210,873.23
(as passed by the House)	
Debt Requirements	\$1,333,457.50
Less U.N.H. Refund	222,122.50
	<hr/> 1,111,335.00

Total Outgo	<hr/> 18,322,208.23
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Estimated Deficit June 30, 1957	—\$859,013.41
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## New Revenue Enacted into Law by Present Session:

Increase in Racing	\$840,000.00	
Assessment on Utilities	140,000.00	
Corp. Fees, Partnership, etc.	130,000.00	
	<hr/>	1,110,000.00

Estimated Surplus June 30, 1957	\$250,986.59
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## Revised Revenue Estimate

	1956	1957
General Property Taxes	\$1,150,000.00	\$1,175,000.00
Special Taxes	1,457,377.00	1,435,700.00
(1) Poll or Personal Taxes	4,240,000.00	4,240,000.00
(2) Business License Taxes	2,623,000.00	2,637,390.00
Non-Business License Taxes	11,700.00	11,900.00
Fees	101,540.00	103,115.00
Penalties and Interest	7,500.00	7,500.00
Rents and Leases	236.00	236.00
Interest Premium and Discount	12,100.00	12,100.00
Sales of Commodities	13,300.00	13,400.00
(3) Sales of Services	635,675.00	640,675.00
(4) Other Revenue	6,188,766.00	6,189,292.00
	<hr/>	<hr/>
Total	\$16,419,527.00	\$16,466,308.00

- (1) Reflects increase of \$50,000 on Tobacco Tax and decrease of \$50,000 on Head Tax each year.
- (2) Reflects increase estimate of \$75,000 on Insurance Tax each year.
- (3) Reflects increase of \$50,000 in collection from patients in Institutions.
- (4) Increase Estimates from Liquor profits of \$50,000 annually.

On motion of Miss Bailey of Newport at 2:23 o'clock the House adjourned.

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THURSDAY, JULY 7, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, unto Whom all hearts are open, all desires known and from Whom no secrets are hid, make us deeply sensible of the fact that Thou knowest us better than we know ourselves. Implant within our bosom the desire to do the right, within our heart a love of the truth and, within our conscience, a determination to do Thy will as we can best understand and interpret that will. So strengthen our faith in Thee and the consciousness of Thy Presence, that we may not allow the trivialities of daily life to blind us to Thy Eternal Presence. Help us, O God, to take courage in these words:

“Though the cause of evil prosper,  
Yet 't is truth alone is strong;  
Though her portion is the scaffold,  
And upon the throne be wrong,  
Yet that scaffold sways the future,  
And, behind the dim unknown,  
Standeth God within the shadow  
Keeping watch above His own!”

Amen.

**Salute to the Flag**

Mrs. Funkhouser of Durham led the convention in the salute to the flag.

**Leaves of Absence**

Mr. Huckins of Plymouth and Mrs. Bean of Webster were granted leave of absense for the day on account of illness.

### Introduction of Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed, and referred as follows:

By the Committee on Rules (Mr. Davis of Hopkinton), House Bill No. 543, An Act relative to compensation of legislative employees. To the Committee on Appropriations.

### Committee Reports

Mr. Hodgdon of Tuftonboro, for the Committee on Appropriations, to whom was referred House Bill No. 25 (In New Draft), An Act relative to forest conservation and taxation, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend paragraph II of section 1 of chapter 79-A as inserted by section 1 of said bill by inserting after the word "rights-of-ways" and the word "right-of-way" where they occur in said paragraph the words, or water storage reservoir areas, so that said paragraph as amended shall read as follows:

II. "Owner", means any person including the state, a county, a town or any other political subdivision and a purchaser of public forest timber, having title to lands or standing trees or possession with authority to cut and remove logs or wood from lands or standing trees from which any logs or wood are taken during the tax year. The word "owner" shall not be construed to include (a) a person who cuts or causes to be cut logs or wood from his own land for consumption in the construction, reconstruction, or alteration of his own buildings, structures or fences, situated in the state of New Hampshire; (b) a person who cuts or causes to be cut fuel wood for his own consumption in the state of New Hampshire for domestic fuel purposes or for the manufacture of maple sugar or syrup; (c) cities, towns, school districts or village districts cutting logs or wood within their boundaries; (d) persons engaged in clearing or maintaining rights-of-way or water storage reservoir areas incidental to furnishing utility services or transportation to the public, provided, however, that when stumpage is sold by the person who is causing the right-of-way or water storage reservoir areas to be cleared to another person the purchaser thereof shall be construed to be an owner as defined above.



Amend paragraph V of section 1 of chapter 79-A as inserted by section 1 of said bill by striking out the figure "1954" where it occurs and inserting in place thereof the figure, 1952, so that said paragraph as amended shall read as follows:

V. "Heavily timbered towns." A heavily timbered town is defined to be a town in which the average assessed valuation of growing wood and timber for the years 1944-1948 inclusive is equal to or greater than ten per cent of the following net figure: the locally assessed valuation of such town as of April 1, 1952 as equalized by the tax commission for the purpose of assessing county taxes, less the total veterans' tax exemption on property in said town for the tax year 1952.

Amend section 10 of chapter 79-A as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

10. *Notice of Cutting.* The state, a county, a municipality, or public agency, or any owner who intends to cut growing wood or timber shall file a notice of intent to cut, in duplicate, prior to such cutting with the state tax commission upon a form prescribed and provided by said commission, setting forth his name, residence, an estimate of the amount and species of wood to be cut, and such other information as may be required. He may at his option furnish the stumpage price paid. A supplemental notice of intent to cut, in duplicate, shall be filed on or before October first for all operations not completed or terminated and which will continue after September 30 in any year. A copy of each notice shall be forwarded by the tax commission to the proper assessing officials. The tax commission shall assign a number to each operation for which it receives a notice of intent to cut and shall notify the owner and the assessing officials thereof. It shall furnish without cost to the owner a certificate showing that the notice of intent to cut has been filed. Failure to file a notice of intent to cut shall constitute a misdemeanor punishable by a fine not exceeding fifty dollars.

Amend section 14 of chapter 79-A as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

14. *Collection and Distribution of Normal Yield Taxes and Road and Debt Retirement Taxes in Unorganized Towns*

*and Unincorporated Places.* The taxes assessed under sections 3 and 4 of this chapter in any unorganized town or unincorporated place shall be collected by the director of the division of interest and dividends of the state tax commission and paid by him to the state treasurer. The director of the division of interest and dividends shall have the same powers in collecting the tax as are provided tax collectors under chapter 80 of the Revised Laws. The state treasurer shall distribute the normal yield taxes in the unorganized towns and unincorporated places as follows: (a) to the state tax commission the cost of assessment, collection and any appeal in the unorganized towns and unincorporated places; (b) to the treasurer of the county in which such town or place is situated, to be credited against its share of the county tax, if any, for the ensuing year. Any normal yield tax revenues remaining in the state treasury after the above distributions have been made, together with any balances of revenue collected from an unorganized town or unincorporated place prior to the passage of this act shall be used in addition to the bond and debt retirement tax, provided in section 4, for interest, retirement of bonds or other indebtedness incurred by the state under this chapter.

Amend section 21 of chapter 79-A as inserted by section 1 of said bill by striking out the figure "1954" where it occurs and inserting in place thereof the figure, 1952, and by striking out the figure "22" in the next to the last line and inserting the figure, 23, so that said section as amended shall read as follows:

21. *Adjusted Forest Conservation Aid Base.* Beginning October 1, 1955, the adjusted forest conservation aid base for each town shall for the ensuing tax year be the forest conservation aid base for such town less five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1952, less the total veterans' tax exemption on property in said town for the current year. Annually thereafter the adjusted forest conservation aid base for the preceding year shall be reduced by five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1952, less the total veterans' tax exemption on property in said town for the current year, until the ad-

justed forest conservation aid base is eliminated. After four successive reductions have been made under this section, further reductions in the aid base hereunder shall be suspended in those towns still entitled to such aid, in order that the situation in such towns may then be re-examined by the general court, and further reductions in such towns under this section or under section 23 shall not be resumed until so ordered by the general court.

Amend section 23 of chapter 79-A as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

23. *Special Aid for Heavily Timbered Towns.* An addition to the forest conservation aid to which a heavily timbered town would be entitled under the provisions of section 21 of this chapter it shall, beginning with October 1, 1955 also receive special aid in full as computed hereafter. For the tax year beginning October 1, 1955 such special aid shall be an amount equal to the difference between, (1) the amount of revenue the town would have received from a tax levied on the average assessed value of growing wood and timber therein for the years 1944-1948 inclusive reckoned at its 1955 average tax rate deducting therefrom (a) an amount equal to five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1952, less the total veterans' tax exemption on property in said town for the current year, and (b) any property tax assessed under section 5 of this chapter, and (c) the amount of the normal yield taxes assessed under section 3 of this chapter for the year for which such special aid is requested, and (2) the forest conservation aid for such town as computed under section 22 hereof. The amount of the special aid to which a heavily timbered town may be entitled by this section for any year following the tax year beginning October 1, 1955 shall be the difference between, (1) the amount of revenue the town would have received from a tax levied on the average assessed value of growing wood and timber therein for the years 1944-48 inclusive reckoned at its 1953 average tax rate or the current local rate of taxation, whichever is lesser, deducting therefrom (a) an amount equal to five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1,

1952, less the total veterans' tax exemption on property in said town for the current year, and (b) any property tax assessed under section 5 of this chapter, and (c) the amount of the normal yield taxes assessed under section 3 of this chapter for the year for which aid is requested, and (d) the accumulated amount as computed for each preceding year of five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1952, and (2) the forest conservation aid for such town as computed under section 22 hereof.

Amend section 1 of said bill by renumbering sections referred to in new sections of chapter 79-A as follows: in section 13 strike out in the second line the figure "21" and insert the figure, 22; in section 16 strike out the figure "21" in the fifth and tenth lines and insert the figure, 22; and in section 16, also strike out the figure "22" in the seventh line and insert the figure, 23; in section 19 strike out the following "19, 20, 21 and 22" and insert the following, 20, 21, 22 and 23; in section 24 strike out the figure "21" in the sixth line and insert the figure, 22; in section 25 strike out the following "19, 20 and 21 hereof" and insert the following, 20, 21 and 22 hereof, and strike out the figure "21" in the last line and insert the figure, 22.

Further amend said bill by inserting after section 1 the following new section:

2. *State Tax Commission.* One of the positions of timber tax appraiser in the office of the state tax commission is hereby abolished.

Further amend said bill by renumbering section 2 to read section 3.

Reading of the amendment having commenced, on motion of Mr. Scamman of Stratham further reading was dispensed with.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted.

Mr. Broadhurst of Franklin offered the following amendment:

Amend section 3 of chapter 79-A as inserted by section 1



of said bill by striking out said section and inserting in place thereof the following:

3. *Yield Tax.* (a) A normal yield tax on the stumpage value at the time of cutting shall be assessed by the assessing officials, as of October first of each year, against each owner of growing wood and timber which has been cut during the previous tax year, at the rate of fifteen per cent, provided, however, that whenever the assessing officials deem it necessary to insure the payment of the tax, demand for such payment may be made when the cutting of a lot has been completed, in which case payment of the tax shall be due at the time of notice thereof. Whenever the assessing officials, or the state tax commission, deem it necessary to insure the payment of the yield tax, they, or either of them, may require a bond or other security to be given by an owner, as defined herein, before or during the cutting period, in such amount and conditioned upon such terms as they may determine. An owner failing or neglecting to provide such bond or security within seven days after request therefor may be enjoined from further cutting by the superior court which shall make such order as justice shall require. They may enter upon and inspect any timber lot, and require the owner to produce for inspection any books, records and papers as may be relevant and of assistance to them in the assessment of the yield tax. (b) *Refund for Improved Forest Practices.* The assessing officials shall on application of any owner who has complied with the requirements of sections 10 and 11 relating to notice and report refund so much of the tax on timber cut as would amount to five per cent of its stumpage value, provided there is filed with such application a certificate of the owner, or, if requested by the assessing officials, a certificate of the state forester or his agent, stating that the owner has complied with the standards established under section 15 of this chapter.

Amend section 4 of chapter 79-A as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

4. *State Severance Tax.* Twenty per cent of all yield and additional taxes assessed under the provisions of this chapter which are not abated shall constitute a state severance tax which shall be credited to the reimbursement fund pro-



vided for hereunder. Said state severance tax shall be paid by the cities and towns to the state treasurer in the month of January. If payment is not made in the month of January as provided, the state treasurer shall withhold the amount of any state severance taxes due to the state for which the town or city may be liable, from any amounts payable by the state to the city or town failing to make the payment for state severance taxes as aforesaid. The state treasurer shall not pay to any city or town any amounts which may be due to it from the state until the payment of state severance taxes then due from such city or town have been paid to him. Any abatements granted by a city or town under the provisions of section 8 of this chapter after payment is made to the state treasurer will be a credit to the city or town against the following year's state severance tax.

Amend section 8 of chapter 79-A as inserted by section 1 of said bill by inserting at the end thereof the following new paragraph:

(a) Whenever an owner of growing wood and timber as defined herein, is dissatisfied because the refund provided by section 3 was not allowed, he may, if he has complied with the provisions of sections 10 and 11 of this chapter, within sixty days of notice of such assessment and not thereafter, appeal in writing to the state forester. The state forester shall forward such appeal to the district forestry advisory board of the county in which the operation upon the appeal has been made was conducted. Said board shall review the assessment in question and make such order as justice may require. The decision of said board shall be final.

Amend section 13 of chapter 79-A as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

13. *Disposition of the Yield Tax.* Except as provided in section 4 the yield taxes collected under section 3 hereof shall be paid by the tax collectors of cities and towns into their respective treasuries which sum, less the state severance tax, shall be for the general use of the city or town.

Amend section 14 of chapter 79-A as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

14. *Collection and Distribution of Yield Taxes in Unorganized Towns and Unincorporated Places.* The taxes assessed under sections 3 and 4 of this chapter in any unorganized town or unincorporated place shall be collected by the director of the division of interest and dividends of the state tax commission and paid by him to the state treasurer. The director of the division of interest and dividends shall have the same powers in collecting the tax as are provided tax collectors under chapter 80 of the Revised Laws. The state treasurer shall distribute the yield taxes in the unorganized towns and unincorporated places as follows: (a) to the reimbursement fund set up in section 16 the state severance tax; (b) to the state tax commission the cost of assessment, collection and any appeal in the unorganized towns and unincorporated places; (c) to the treasurer of the county in which such town or place is situated, to be credited against its share of the county tax, if any, for the ensuing year. Any yield tax revenues remaining in the state treasury after the above distributions have been made shall be available for use by the state forester in the place from which the tax was collected. The funds shall be used for forest conservation purposes including the construction and maintenance of forest fire roads and trails and forest diseases and insect control.

Amend section 15 of said chapter 79-A as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

(c) *Minimum Cutting Standards.* The state forester shall, with the advice and consent of the forestry and recreation commission, establish minimum cutting standards to be used as the basis for approved forestry practices and for the purposes of this act that shall be considered good cutting practice which to the mind of competent foresters will assure future crop of wood of high economic value and shall be subject to such revision as may be deemed necessary and advisable by the said forestry and recreation commission. In establishing standards hereunder, consideration shall be given to: Accepted methods of cutting for forest conservation applicable to the area, done in a manner to leave enough healthy standing trees of desirable species to provide future continuous yield, and to protect or provide young trees of desirable species in sufficient number and distribution to assure soil protection and a future

crop; satisfactory reforestation by planting; together with the maintenance of vigilant precautions against fire and provision of sufficient tools and equipment for fire suppression, and cooperation with public agencies in the application of measures for the control of fire, insects and disease.

Amend section 16 of said chapter 79-A as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

16. *Reimbursement Fund Created.* A reimbursement fund is hereby created which shall consist of the state appropriation provided for hereunder together with all state severance taxes paid into the state treasury under the provisions hereof. Said fund shall be used for reimbursing cities and towns and counties for loss of tax revenue by the exemption of growing wood and timber as determined in sections 21 and 24. Any balance in said reimbursement fund shall not lapse but shall be carried forward to the following fiscal year. The sum of fifty thousand dollars, for the fiscal year ending June 30, 1957, is hereby appropriated for the reimbursement fund and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

Amend section 21 of said chapter 79-A as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

21. *Computation of Forest Conservation Aid.* In computing such aid said commission shall determine the adjusted forest conservation aid base for the current year and deduct therefrom the amount of any property tax assessed under the provisions of section 5 of this chapter and the amount of the yield taxes assessed under the provisions of section 3 of this chapter for the year in which aid is requested less the twenty per cent state severance tax. In order that there may be an equitable distribution of funds paid by the state for aid to schools, or for highway maintenance and construction, and to provide for an equitable proportion of the county taxes or any application of any statute based wholly or in part on equalized valuation, the tax commission shall not include the five-year average assessment of growing wood and timber in each city or town in the equalized valuation of each city and town in

accordance with paragraph V, section 11, chapter 82, Revised Laws. Said commission shall take into consideration any decrease in the amount of forest conservation aid which any town may receive because of the taking of forest land by the state or federal government for state or national forests and by any other unusual or abnormal conditions, including extraordinary obligations of a city or town incurred prior to July 26, 1949, which would affect an equitable distribution, the intent being to make up to the several cities and towns any loss in tax revenue or loss in forest conservation aid granted in lieu of tax revenue on state and national forest, or increase in county or state taxes resulting from such exemption in as equitable a manner as possible.

Amend section 23 of chapter 79-A as inserted by section 1 of said bill by striking out the same and inserting in place thereof the following:

23. *Special Aid for Heavily Timbered Towns.* In addition to the forest conservation aid to which a heavily timbered town would be entitled under the provisions of section 21 of this chapter it shall, beginning with October 1, 1955 also receive special aid in full as computed hereafter. For the tax year beginning October 1, 1955 such special aid shall be an amount equal to the difference between, (1) the amount of revenue the town would have received from a tax levied on the average assessed value of growing wood and timber therein for the years 1944-1948 inclusive reckoned at its 1955 average tax rate deducting therefrom (a) an amount equal to five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1952, less the total veterans' tax exemption on property in said town for the current year, and (b) any property tax assessed under section 5 of this chapter, and (c) the amount of the normal yield taxes assessed under section 3 of this chapter for the year for which such special aid is requested, less twenty per cent state severance tax and (2) the forest conservation aid for such town as computed under section 22 hereof. The amount of the special aid to which a heavily timbered town may be entitled by this section for any year following the tax year beginning October 1, 1955 shall be the difference between, (1) the amount of revenue the town would have received from a tax levied on the average assessed value



of growing wood and timber therein for the years 1944-48 inclusive reckoned at its 1953 average tax rate or the current local rate of taxation, whichever is lesser, deducting therefrom (a) an amount equal to five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission for April 1, 1952, less the total veterans' tax exemption on property in said town for the current year, and (b) any property tax assessed under section 5 of this chapter, and (c) the amount of the normal yield taxes assessed under section 3 of this chapter for the year for which aid is requested, and (d) the accumulated amount as computed for each preceding year of five cents on each one hundred dollars of the locally assessed valuation of the municipality as equalized by the tax commission from April 1, 1952 and (2) the forest conservation aid for such town as computed under section 22 hereof.

Reading of the amendment having commenced, Mr. Pillsbury of Manchester moved that further reading be dispensed with.

The question being on the motion.

Mr. Pillsbury of Manchester and Mr. Broadhurst of Franklin spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

The question being on the amendment.

(Discussion ensued)

Mr. Skinner of Alton spoke in favor of the amendment.

Mrs. Gardner of Gilford spoke against the amendment.

(Mr. Chase of Dover in Chair)

Mrs. Funkhouser of Durham spoke in favor of the amendment.

Messrs. Brown of Strafford, Campion of Hanover, Bascomb of Acworth, and Fortier of Berlin spoke against the amendment.

(Speaker in Chair)

Mr. Hart of Laconia spoke in favor of the amendment.

(Mr. Angus of Claremont in Chair)

Mr. Lessels of Concord spoke in favor of the amendment.



Messrs. Hodgdon of Tuftonboro, Pillsbury of Sandown, Scamman of Stratham, Pickett of Keene, Young of Pittsfield and Pillsbury of Manchester spoke against the amendment.

On a *viva voce* vote the amendment was not adopted.

(Speaker in Chair)

The question being, Shall the bill be read a third time?

(Discussion ensued)

Mr. Pillsbury of Manchester spoke in favor of the question.

Messrs. Brown of Marlow and Chandler of Bartlett spoke against the question.

On a *viva voce* vote the bill was ordered to a third reading.

Mr. Pillsbury of Manchester moved that the rules be so far suspended as to permit the third reading and final passage, by title only, at the present time, of House Bill No. 25 (In New Draft), An Act relative to forest conservation and taxation.

The bill was read a third time and passed and sent to the Senate for concurrence.

### Reconsideration

Mrs. Gardner of Gilford moved that the House reconsider its vote whereby it passed House Bill No. 25 (In New Draft), An Act relative to forest conservation and taxation.

On a *viva voce* vote the motion did not prevail.

Mr. Philbrick of Rye, for the Committee on Public Works, to whom was referred Senate Bill No. 102, An Act relating to the exclusive right of the Rye Water District to acquire water rights within a part of the town of Rye, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Rye Water District.* The Rye Water District, a village district in the town of Rye, for the supplying of water to its inhabitants and for other municipal purposes, shall have the exclusive right and privilege of taking water for public use in said town of Rye except that part within the Rye Beach

Precinct and that part northeast of the former site of the Wallis Sands life saving station and the road leading therefrom to Lang's Corner in said town of Rye, and is hereby authorized and empowered to take, purchase, and hold in fee simple or otherwise any real estate, rights therein, and water rights necessary for said purposes. The said district, if unable to agree with the owner of any real estate, rights therein, or water rights which may be necessary for the purposes hereof, may take the same by eminent domain as provided by chapter 56 of the Revised Laws (chapter 38, RSA), relating to municipal lighting and water systems, and may do any and all other things necessary for carrying into effect the purposes of this chapter, including the laying, relaying, and maintenance of water mains and pipes in the public highways within said town, having due regard for the safety and security of the public travel thereon.

Amend section 2 of the bill by striking out said section.

Further amend the bill by renumbering section 3 to read section 2.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mrs. Dondero of Portsmouth, for the Special Committee consisting of the members from the city of Portsmouth, to whom was referred Senate Bill No. 91, An Act relative to trustees of trust funds of the city of Portsmouth, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Wardwell of Portsmouth, for the Special Committee consisting of the members from the city of Portsmouth, to whom was referred House Bill No. 464, An Act relative to membership of the board of registrars for the city of Portsmouth, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Pillsbury of Manchester, House Bill No. 425, An Act relative to the taxation of growing wood and

timber, together with the motion to substitute the words "ought to pass" for the report of the committee, inexpedient to legislate, was taken from the table.

Mr. Pillsbury of Manchester moved that the bill be indefinitely postponed.

On a *viva voce* vote the motion was adopted.

### Reconsideration

Mr. Pickett of Keene moved that the House reconsider its vote whereby it voted to indefinitely postpone House Bill No. 425.

On a *viva voce* vote the motion did not prevail.

### Report of Committee on Engrossed Bills

Mrs. Hayden of Ossipee, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bills:

House Bill No. 337, An Act increasing the membership of the fish and game commission, and relating to the term of the fish and game director.

House Bill No. 527, An Act relative to sales of armories.

House Bill No. 531, An Act relative to the salary of the associate justice of the Somersworth municipal court.

The report was accepted.

### Report of Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 245, An Act dividing Grafton county into commissioner districts, having considered the same, report the same with the following recommendation:

That the Senate recede from its position in adopting its amendment, that the House recede from its position of non-concurrence, and that the following amendment be adopted.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Grafton County.* Amend section 1 of chapter 45 of the Revised Laws (section 1, chapter 64, RSA) by striking out said section and inserting in place thereof the following: 1. *Election: Term.* There shall be chosen at each biennial election, by ballot, by the inhabitants of the several towns in each

county qualified to vote for state senators, a sheriff, a county solicitor, a county treasurer, a register of deeds, a register of probate and three county commissioners, each of whom shall take office on January first next succeeding his election, and shall hold the same for two years and until his successor is chosen and qualified, provided, however, that in the county of Grafton the inhabitants of the several towns in each of the commissioner districts, so qualified, shall choose at said election one commissioner for the district.

2. *Commissioner Districts.* Amend chapter 45 of the Revised Laws (chapter 64, RSA) by inserting after section 1 the following new section: 1-a. *Election.* The county of Grafton is divided into three districts for the purpose of choosing county commissioners and each district is entitled to elect one commissioner. The districts for said county shall be formed and limited in manner following: District 1: Canaan, Dorchester, Enfield, Grafton, Hanover, Lebanon, Livermore, Lyme, Orford, Orange and Piermont; District 2: Bath, Benton, Bethlehem, Easton, Franconia, Haverhill, Landaff, Lisbon, Littleton, Lyman and Monroe; District 3: Alexandria, Ashland, Bridgewater, Bristol, Campton, Ellsworth, Groton, Hebron, Holderness, Lincoln, Plymouth, Rumney, Thornton, Warren, Waterville, Wentworth and Woodstock.

3. *Qualifications.* Amend section 2 of chapter 45 of the Revised Laws (section 2, chapter 64, RSA) by striking out said section and inserting in place thereof the following: 2. *Eligibility.* No person is eligible to the office of sheriff, county solicitor, county treasurer, register of deeds, register of probate, or county commissioner unless he is a resident of the county for which he is chosen, and, in the case of the county commissioners of the county of Grafton unless he is a resident of the district for which he is chosen. No person shall hold two of said offices at the same time, and the acceptance of one of them shall be a resignation of the others.

4. *Takes Effect.* This act shall take effect for the nomination and election of Grafton county commissioners at the biennial election in 1956, but nothing herein shall be construed

as affecting the term of office or the qualifications of county commissioners in office at the time the act takes effect.

BOWDOIN PLUMER,  
EDA C. MARTIN,

*Conferees on the Part of the House.*

NORMAN A. McMEEKIN,  
ARCHIBALD H. MATTHEWS,

*Conferees on the Part of the Senate.*

On motion of Mr. Plumer of Bristol the report of the Committee of Conference was agreed to.

### Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 415, An Act relative to neglect of husband or father to support wife and children and neglect of mother, having considered the same, reported the same with the following recommendations:

That the House recede from its position of non-concurrence and the Senate recede from its position in adopting its amendment and that the following amendment be adopted by the House and Senate:

Amend the title of said bill by inserting at the end thereof the words, and relative to temporary court orders in annulment proceedings and divorces, so that said title as amended shall read as follows:

An Act relative to neglect of husband or father to support wife and children and neglect of mother, and relative to temporary court orders in annulment proceedings and divorces.

Amend said bill by inserting after section 2 the following new sections:

3. *Separate Maintenance.* Amend section 14, chapter 339 of the Revised Laws as amended by chapter 240, Laws of 1949 (section 16, chapter 458, RSA) by inserting after the word "divorce" in the first line the words, annulment or a decree of nullity, so that said section as amended shall read as follows: 14. *Temporary Orders.* After the filing of a libel for divorce, annulment or a decree of nullity, the superior court, or any justice thereof, may restrain either party from imposing any restraint upon the person or liberty of the other,



or from entering the tenement wherein the other resides during the pendency of the libel and, during such pendency, may order a temporary allowance to be paid for the support of the other, and may make such orders respecting the custody and maintenance of the minor children of the parties as shall be deemed expedient and for the benefit of the children.

4. *Orders in Cases of Out of State Divorce.* Amend chapter 339 of the Revised Laws by inserting after section 16 (section 19, chapter 458, RSA) the following new section: 16-a. *Alimony and Support.* The superior court shall have jurisdiction to make such orders or temporary orders of alimony to a divorced wife or of support to the children of divorced parents as justice shall require in cases where the decree of divorce was not granted in this jurisdiction, even though said divorce decree makes provision for alimony and support, provided the wife and the children are domiciled in this jurisdiction and the husband is served with process in this jurisdiction.

Further amend said bill by renumbering section 3 to read section 5.

MARGARET B. DELUDE,  
WM. H. CRAIG, JR.,  
FRANCIS F. FAULKNER,  
*Conferees on the Part of the House.*

JAMES C. CLEVELAND,  
THOMAS B. O'MALLEY,  
*Conferees on the Part of the Senate.*

On motion of Mrs. DeLude of Unity the report of the Committee of Conference was agreed to.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 489, An Act relative to registration and re-registration of partnerships.

Amend section 11 of chapter 186 of the Revised Laws as inserted by section 1 of said bill by renumbering said section to read section 10-a.

Amend said bill by inserting after section 1 the following new section:

2. *Appropriation.* The sum of five thousand five hundred dollars for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957, are hereby appropriated for the office of the secretary of state to be expended for additional personal services and current expenses necessitated because of amendments to corporation law and registration of partnerships. The sums hereby appropriated shall be a charge upon the general funds.

Further amend said bill by renumbering section 2 to read section 3.

On motion of Mr. Faulkner of Keene, the House non-concurred in the adoption of the amendments sent down from the Honorable Senate, and a Committee of Conference was appointed.

The Speaker appointed as members of such committee on the part of the House, Mrs. Holmes of Amherst, and Messrs. Davis of Hopkinton and Pappagianis of Nashua.

The message further announced that the Senate had adopted the following resolution:

*Resolved*, That His Excellency, the Governor, be requested to return to the Senate for further consideration, House Bill No. 328, An Act to change the name of the Board of Nurse Examiners and to increase the fees for nurse registration.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 210, An Act relative to vacations for employees of the city of Manchester.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 114, An Act relative to borrowing by school districts.

Senate Bill No. 121 ,An Act relative to salaries of court stenographers.

### Senate Bills Read and Referred

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

Senate Bill No. 114, An Act relative to borrowing by school districts. To the Committee on Executive Departments and Administration.

Senate Bill No. 121, An Act relative to salaries of court stenographers. To the Committee on Judiciary.

### Reconsideration

Mr. Lavoie of Manchester moved that the House reconsider its vote whereby it passed House Bill No. 379, An Act relative to service exemptions for veterans.

The question being on the motion.

Mr. Lavoie of Manchester and Mr. Chase of Dover spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mr. Chase of Dover moved to reconsider the vote whereby House Bill No. 379 was ordered to a third reading.

On a *viva voce* vote the motion prevailed.

Mr. Chase of Dover offered the following amendment:

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Veterans' Taxation.* Amend section 29 of chapter 73 of the Revised Laws as amended by chapter 174, Laws of 1943, chapter 4, Laws of 1944, chapter 240, Laws of 1947, section 1, chapter 167, Laws of 1949 and by section 1, chapter 132, Laws of 1951 (chapter 72, RSA) by striking out said section and inserting in place thereof the following: 29. *Service Exemption.* Every resident of this state who served not less than ninety days in the armed forces of the United States in any of the following wars or armed conflicts, the Spanish War, Philippine Insurrection, Boxer Rebellion, World War I, World War II, or Korean Conflict, as hereinafter defined who have been discharged or separated therefrom under conditions other than dishonorable or the spouse of such resident, or the widow

of such resident, and every resident, or the spouse of such resident, whose services were terminated for a service-connected disability, and the widow of any resident who suffered a service-connected death, in consideration of such service, shall be exempt each year from taxation upon his or her residential real estate, to the value of one thousand dollars, provided the value of such residential real estate in this state as assessed by the selectmen does not exclusive of bona fide encumbrances of record thereon, exceed five thousand dollars. The following terms as used in this section shall be construed as follows:

(1) "Spanish War" between April 21, 1898 and April 11, 1899.

(2) "Philippine Insurrection" between April 12, 1899 and July 4, 1902 extended to July 15, 1903 for service in the Moro Provinces.

(3) "Boxer Rebellion" between June 16, 1900 and May 12, 1901.

(4) "World War I" between April 6, 1917 and November 11, 1918 extended to April 1, 1920 for service in Russia, provided that reenlistment in military or naval service on or after November 12, 1918 and before July 2, 1921 where there was prior service between April 6, 1917 and November 11, 1918 shall be considered as World War I service.

(5) "World War II" between December 7, 1941 and December 31, 1946.

(6) "Korean Conflict" between June 25, 1950 and July 27, 1953.

2. *Fractional Interest.* Amend section 29-a of chapter 73 of the Revised Laws as inserted by chapter 240 of the Laws of 1947 (chapter 72, RSA) by striking out the words "taxable property" in the second line thereof and inserting in place thereof the words, residential real estate, so that said section as amended shall read as follows: 29-a. *Proration of Exemption.* If any entitled person or persons shall own a fractional interest in residential real estate each such entitled person shall be granted exemption in proportion to his interest therein with other persons so entitled, but in no case shall the total exemption exceed one thousand dollars except as provided in section 29-b.

3. *Limitations.* Amend section 29-b of chapter 73 of the Revised Laws as inserted by chapter 240 of the Laws of 1947 (chapter 72, RSA) by striking out the words "taxable property" in the third line and in the fourth line and inserting in place thereof the words, residential real estate, so that said section as amended shall read as follows: 29-b. *Husband and Wife.* A husband and wife, each qualified for exemption, shall be entitled to an exemption of two thousand dollars on their residential real estate provided they do not together own residential real estate in this state exclusive of bona fide encumbrances of record thereon to the value of more than five thousand dollars.

4. *Residence.* Amend section 29-g of chapter 73 of the Revised Laws as inserted by chapter 240 of the Laws of 1947 (chapter 72, RSA) by striking out said section and inserting in place thereof the following: 29-g. *Definitions.* I. The word "resident" as used in section 29 shall mean a person who has resided in this state for at least six months preceding April 1, in the year in which exemption is claimed. II. The term "residential real estate" for the purposes of sections 29 to 29-h, inclusive shall mean the real estate which the person qualified for an exemption thereunder occupies as his principal place of abode together with any land or buildings appurtenant thereto.

5. *Takes Effect.* This act shall take effect April 1, 1956.

Reading of the amendment having commenced, on motion of Mr. Chase of Dover further reading was dispensed with.

The question being on the amendment.

Mr. Chase of Dover and Mr. Bloomfield of Claremont spoke in favor of the amendment.

Mr. Lavoie of Manchester moved that the bill be indefinitely postponed.

Mr. Pillsbury of Manchester spoke against the motion.

On a *viva voce* vote the motion did not prevail.

Mr. Pickett of Keene moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment offered by Mr. Chase of Dover.



On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Pillsbury of Manchester moved that the rules be suspended to permit the third reading and final passage, by title only, of House Bill No. 379 at the present time.

On a *viva voce* vote the motion prevailed and House Bill No. 379, An Act relative to service exemption for veterans, was read a third time and passed, and was sent to the Senate for concurrence.

### Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it passed House Bill No. 379.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Pillsbury of Manchester a report prepared by Mr. Malley of Somersworth was ordered printed in the Journal.

### Revised Budgetary Estimates — 1956-1957

#### As Prepared by Representative James Malley

Unappropriated Surplus June 30, 1955		\$2,453,000.00
Estimated Revenues without New Taxes		16,494,000.00
Retirement of Inventory Bonds		214,000.00
Increase—		
Race Track Revenue to	\$2,800,000.00 Increase over Gov.	600,000.00
Utilities Assessment		75,000.00
Corporation Fees		65,000.00
Total Available, Fiscal 1956		\$119,901,000.00
Appropriations for 1956,		
House Bill No. 529	\$16,958,000.00	
Debt Requirements	1,571,477.00	
Less U.N.H. Refunds	225,101.00	1,346,000.00
Total Out-Go, Fiscal 1956		18,304,000.00
Balance June 30, 1956		\$1,597,000.00
Estimated Revenue without		
New Taxes		16,522,000.00
Retirement of Inventory Bonds		214,000.00
Estimated Lapses Fiscal 1956		220,000.00
Increase—		
Race Track Revenue to	\$2,700,000.00 Increase over Gov.	500,000.00
Utilities Assessment		75,000.00
Corporation Fees		65,000.00
Total Available, Fiscal 1957		\$19,223,000.00

Appropriations for 1957,		
House Bill No. 530		\$17,210,000.00
Debt Requirements	1,333,000.00	
Less U.N.H. Refund	222,000.00	1,111,000.00
Total Out-Go, Fiscal 1957		18,321,000.00
Estimated Balance		\$902,000.00
Estimated Lapses, Fiscal 1957		220,000.00
		\$1,122,000.00
Less Additional Appropriations		85,000.00
Estimated Surplus End of Biennium June 30, 1957		\$1,037,000.00

### Resolutions

Mr. Bennett of Keene offered the following resolution:

*Whereas*, Mrs. Jennie I. Coddington, mother of Leroy E. Coddington, Representative from Keene, has passed away, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire General Court, hereby express our sympathy to our fellow member in his bereavement, and be it further

*Resolved*, that the Clerk of the House transmit to Representative Coddington a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 464, An Act relative to membership of the board of registrars for the city of Portsmouth.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 91, An Act relative to trustees of trust funds of the city of Portsmouth.

Read a third time and passed and sent to the Secretary of State to be engrossed.

Senate Bill No. 102, An Act relating to the exclusive right of the Rye Water District to acquire water rights within a part of the town of Rye.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mrs. Gagnon of Berlin at 2:45 o'clock the House adjourned.

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## TUESDAY, JULY 12, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Fred Stafford, exchange pastor from London to the First Parish Congregational Church, Dover, N. H.

Our gracious Father God, we thank Thee for our high calling and solemn responsibility as we serve our fellows through this Legislature.

As we seek to establish real community among the people of this State and lead them in the ways of understanding and true service; may we realize more clearly that this is our high calling in Jesus Christ.

We thank Thee for all Thou hast wrought in us so that we are better than we were; help us to be better than we are. Take from us all fear of failure, all narrowness of vision, all desire for personal glory.

Help us to see the inner meaning of the word of our Lord Jesus, "Inasmuch as you do it unto one of the least of these My brethren, you do it unto Me." Thus may we serve Thee in them, and them through Thee.

We ask these mercies in His Name and for His sake. Amen.

### Salute to the Flag

Mr. Vaughan of Newport led the convention in the salute to the flag.

### Leaves of Absence

Mr. Gay of New London was granted leave of absence for the day on account of important business.

Messrs. Locke of New Boston and Comi of Concord were granted leave of absence for the day on account of illness.

Mrs. Ayer of Pittsfield was granted leave of absence for the week on account of illness in the family.

Messrs. Pinkham of Northwood, Carpenter of Henniker, Chase of Dover and Rogers of Laconia were granted leave of absence for the week on account of important business.

(Recess)

The Speaker declared a three minute recess to introduce the Guest Chaplain, Rev. Fred Stafford of London, who addressed the House briefly.

(After Recess)

### Committee Appointment

The Speaker announced the appointment of Mr. Sheridan of Berlin to the Committee on Rules in place of Mr. Kearns of Manchester.

### Committee Reports

Mr. Rowell of Newport, for the Committee on Appropriations, to whom was referred House Bill No. 168, An Act to coordinate development and regulatory activities relating to the peaceful uses of atomic energy, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Kelley of Newport, for the Committee on Appropriations, to whom was referred House Bill No. 271, An Act to equalize educational opportunities and to improve the public elementary and high schools of New Hampshire, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2. *State Board. Authority Given.* The state board of education may withhold from any districts the funds to which said districts are entitled under this chapter when, in their

opinion, the number of students is so small that other arrangements could provide better and more economical educational facilities.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

(Mr. Young of Pittsfield in Chair)

Mr. Davis of Hopkinton, for the Committee on Appropriations, to whom was referred House Bill No. 500, An Act providing for the acquisition of certain dams and water rights by the water resources board, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Acquisition Authorized.* The water resources board is hereby authorized to accept from the owners thereof the following described property for the purpose of improving and controlling certain water rights for the benefit of the state: (1) dams and water rights controlling Pawtuckaway pond and Mendum pond in the towns of Nottingham and Barrington together with approximately seven hundred acres of land bordering said waters in said towns. For a period of two years from the date of such acquisition said board shall hold said rights and lands and during said period the council on resources and development shall study the problem of state development of rights and lands acquired. Said council shall report its findings to the legislative council for review by a subcommittee of the council which shall include representatives from the area of the towns of Nottingham and Barrington. During said period the water resources board may sell any timber on said lands and any proceeds from said sale shall be used and expended by said board for purpose of betterment of the projects hereunder. The funds received from said sales shall be a continuing appropriation and shall not lapse.

Further amend said bill by striking out section 2 and renumbering sections 3 and 4 to read sections 2 and 3.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Ecker of Manchester, for the Committee on Executive Departments and Administration, to whom was referred Senate



Bill No. 116, An Act relating to the powers and duties of towns, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Willis of Salem, for the Committee on Public Health, to whom was referred Senate Bill No. 112, An Act relative to practice of medicine and suspension of licenses in certain cases, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Gamache of Manchester, for the Committee on Resources, Recreation and Development, to whom was referred Senate Bill No. 109, An Act authorizing the creation of regional planning commissions, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Geisel of Manchester, for the Special Committee consisting of the members from the city of Manchester, to whom was referred House Bill No. 205, An Act relating to the authority of the surveyor of the city of Manchester, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Authority of Surveyor.* Amend section 1 of chapter 356 of the Laws of 1953 by inserting before the word "highway" in the first line the words, surveyor and, so that said section as amended shall read as follows: 1. *City of Manchester.* The surveyor and highway commission of the city of Manchester may recognize and deal with members of a union or association who are employees of the highway department of the city of Manchester and recognize such union or association as a collective bargaining agency of said highway department in all matters relating to labor. Provided, however, that any agreements must include a provision that there shall be no strikes, lockouts or stoppage of work.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

(Speaker in Chair)

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate bills and House bills:

Senate Bill No. 66, An Act creating an industrial development authority.

Senate Bill No. 92, An Act relative to authority of towns to enter into collective bargaining contracts with labor unions.

Senate Bill No. 111, An Act relative to nature of the tax on tobacco products.

House Bill No. 172, An Act relative to mileage rate for state employees using private cars.

House Bill No. 210, An Act relative to vacations for employees of the city of Manchester.

Senate Bill No. 91, An Act relative to trustees of trust funds of the city of Portsmouth.

Senate Bill No. 97, An Act relative to the establishment of a centralized bureau for the reproduction of state documents.

Senate Bill No. 108, An Act relative to interest refunds to members of credit unions.

The report was accepted.

### **Senate Message**

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 97, An Act relative to the establishment of a centralized bureau for the reproduction of state documents.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on the following entitled bills:

House Bill No. 245, An Act dividing Grafton county into commissioner districts.

House Bill No. 415, An Act relative to neglect of husband or father to support wife and children and neglect of mother, and relative to temporary court orders in annulment proceedings and divorces.

The message further announced that the Senate had voted to non-concur with the House of Representatives in its amendments to the following entitled bill and asks for a Committee of Conference on Senate Bill No. 36, An Act abolishing the New Hampshire Tri-State Commission and transferring its duties to the Legislative Council, and the President has appointed as members of such a committee on the part of the Senate, Senators Packard and English.

On motion of Mr. Pillsbury of Manchester the House acceded to the request of the Honorable Senate for a Committee of Conference.

The Speaker appointed as members of such committee on the part of the House, Messrs. Pillsbury of Manchester, Tilton of Laconia and Sheridan of Berlin.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 307, An Act to increase the salaries of the county commissioners, the county sheriff and the county solicitor of Hillsborough county.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act to increase the salaries of the county commissioners of Hillsborough county.

Amend said bill by striking out sections 2 and 3 and by renumbering section 4 to read section 3.

On motion of Mr. Danforth of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 349, An Act relative to hourly wage for employees.

Amend section 25 of chapter 213, as inserted by section 1 of said bill by striking out the word "seventy-five" and inserting in place thereof the word, seventy, by striking out the word "sixty-five" and inserting in place thereof the word, sixty, and by inserting at the end of the first sentence the words, and this limitation shall not apply to employees of hospitals organized as non-profit corporations, so that said section as amended shall read as follows:

25. *Limitations.* No person, firm or corporation shall employ any employee at a rate of less than seventy cents per hour, provided that this limitation shall not apply to employees engaged in household labor, domestic labor, farm labor, outside salesmen, summer camps for minors, restaurants, hotels, inns and cabins; and provided this limitation shall not apply to employees engaged as newsboys or golf caddies, and this limitation shall not apply to employees of hospitals organized as non-profit corporations. Further provided that no person, firm or corporation shall employ any employee as usher at a theatre or pin boy at a bowling alley, at a rate of less than sixty cents per hour.

Amend section 26 of said chapter 213 as inserted by section 1 of said bill by striking out the word "sixty" and inserting in place thereof the word, fifty-five, so that said section as amended shall read as follows:

26. *Special Authorization in Certain Cases.* A person with less than six months' experience in an occupation, or a person whose earning capacity is impaired by age, or physical or mental deficiency, may be paid not less than fifty-five cents per hour upon application to and authorization from the commissioner of labor.

On motion of Mr. Angus of Claremont, the House non-concurred in the adoption of the amendments sent down from the Honorable Senate, and a Committee of Conference was appointed.

The Speaker appointed as members of such committee on

the part of the House, Messrs. Angus of Claremont, Brosnahan of Nashua, and Mrs. Wentworth of Madbury.

### Resolutions

Messrs. Pillsbury of Manchester, Angus of Claremont and Pickett of Keene offered the following resolution:

*Whereas*, we have learned with regret of the illness of Leon W. Anderson, our Legislative Reporter from the Concord Monitor, and

*Whereas*, "Andy" is confined in the Margaret Pillsbury Hospital, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire General Court extend our sympathy to him and our hope for his speedy return to health, and be it further

*Resolved*, that the Clerk of the House transmit a copy of these resolutions to him.

On a *viva voce* vote the resolution was adopted.

Mrs. Webb of Dover offered the following resolution:

*Whereas*, William H. Connell, Representative from Dover, is ill in Naval Hospital, Portsmouth, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the New Hampshire General Court, hereby express our sympathy to our fellow member in his illness and our best wishes for a speedy recovery to health, and be it further

*Resolved*, that the Clerk of the House transmit to Representative Connell a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

Mr. Robertson of Gilmanton offered the following resolution:

*Whereas*, General Dwight D. Eisenhower successfully led all the free peoples of the world to victory in battle against tyranny and oppression,

*Whereas*, President Dwight D. Eisenhower has been and is now a mountain of strength and courage in leading his own people as well as all free people out of a troubled and insecure peace to new horizons of peaceful security, and



*Whereas*, New Hampshire has the only mountain range commemorating the names of past Presidents known as the Presidential Range, be it

*Resolved*, that one of these mountains now known as "Chocorua" be renamed Mt. Eisenhower as a fitting and everlasting monument to one of the great men of our times and to mark the inauguration of a new era of human dignity, and be it further

*Resolved*, that all official maps have the name *Mt. Eisenhower* replace the name Chocorua, and that the General Court sponsor a suitable ceremony of dedication.

The resolution was referred to the Committee on Public Works.

Mrs. Gagnon of Berlin offered the following resolution:

*Whereas*, Mary C. Dondero, Representative from Portsmouth, is serving her tenth session as a Member of the House of Representatives of the New Hampshire General Court, and

*Whereas*, Representative Dondero is therefore "Dean" of Democratic women members in length of service, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the New Hampshire General Court, hereby congratulate our fellow member and pay tribute to her great length of service to her city and state, and be it further

*Resolved*, that the Clerk of the House transmit a copy of these resolutions to Representative Dondero.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 168, An Act to coordinate development and regulatory activities relating to the peaceful uses of atomic energy.

House Bill No. 205, An Act relating to the authority of the surveyor of the city of Manchester.

House Bill No. 271, An Act to equalize educational opportunities and to improve the public elementary and high schools of New Hampshire.

House Bill No. 500, An Act providing for the acquisition of certain dams and water rights by the water resources board.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 109, An Act authorizing the creation of regional planning commissions.

Senate Bill No. 112, An Act relative to practice of medicine and suspension of licenses in certain cases.

Senate Bill No. 116, An Act relating to the powers and duties of towns.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Davis of Concord at 12:06 o'clock the House adjourned.

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WEDNESDAY, JULY 13, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God of nations and of all peoples, and whose glory is in all the world, we beseech Thee to be with the representatives of the different nations soon to assemble in Geneva. Strengthen those who will go to that conference, who believe in Thee, in the teaching of Thy Son Jesus Christ, and in personal and political freedom. Give them the courage to firmly stand for the Godly principles on which their countries were founded and have prospered through the years. We sincerely hope, O Lord, that out of this gathering there may come a better understanding among the great powers of the world, that they may be guided into the way of justice and truth, and finally become the Kingdom of our Lord and Saviour Jesus Christ. Amen.

### Salute to the Flag

Mr. Lang of Manchester led the convention in the salute to the flag.

### **Presentation of Gavel**

On behalf of U. S. Senator Styles Bridges, President of the Senate Raymond K. Perkins presented to the Speaker, Charles Griffin, a gavel made from the George Washington Elm.

### **Expression of Remembrance**

The Speaker is duly impressed with the expression of remembrance that was tendered to him by Senator Styles Bridges through the President of the Senate, Raymond K. Perkins, and in the presence of the Governor, the Senate and the House today. He is especially grateful for the kind and generous remarks made by the Senate President and more especially gratified with the gavel that was the cause of the occasion.

Senator Bridges, in remembering the Speaker this morning, manifests his ever-continuing interest in New Hampshire affairs, and if we look back over the years, this presentation is not an innovation, for a continuing line of immediate predecessors who have held the Speakership have also been the recipients of the Senator's thoughtfulness and understanding.

A gavel made from the Washington Elm is a treasured object no matter who the donee might be, and the Speaker wishes to state that he will regard it in that light and keep it in his home in a place of honor.

### **Leaves of Absence**

Mr. Buckley of Mont Vernon was granted leave of absence for the day on account of illness.

Messrs. Faulkner of Keene and Locke of New Boston were granted leaves of absence for Wednesday and Thursday on account of important business.

### **Committee Appointed**

The following members were appointed by the Speaker to a committee for a memorial service; Messrs. Reed of Goffstown, Geisel of Manchester and Bouvier of Swanzey.

### **Committee Reports**

Mrs. Studley of Rochester, for the Committee on Judiciary, to whom was referred Senate Bill No. 3 (In New Draft), An Act relative to election campaign receipts and expenditures and their publication, having considered the same, reported the

same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend paragraph V of section 4 of chapter 42 of the Revised Laws, as inserted by section 1 of the bill by striking out the word "sixty" in the second line and inserting in place thereof the words, one hundred, so that said paragraph as amended shall read as follows:

V. By the state committee of any political party, a sum in excess of one hundred thousand dollars from the day following each biennial election to the day of the ensuing biennial election. By the congressional district committee of any political party for the same period, a sum in excess of ten cents per vote multiplied by the total number of votes cast in said district in the last preceding presidential election, or if such party had no candidate in such election, a sum in excess of ten thousand dollars. By the county committee of any political party for the same period, a sum in excess of ten cents per vote multiplied by the total number of votes cast in said county in the last preceding presidential election, or if such party had no candidate in such election, a sum in excess of one thousand dollars. By the city, town or other electoral district political committee of any political party in the same period, a sum in excess of fifteen cents per vote multiplied by the total number of votes cast in said city, town or other electoral district in the last preceding presidential election, or if such party had no candidate in such election, a sum in excess of five hundred dollars in a city or other political subdivision and two hundred fifty dollars in a town. Sums transmitted to the national committee of any political party or any of its divisions shall not be deemed an expenditure for the purposes of this subsection. The collection of money by a finance committee of a political party, which merely collects and allocates the same to the various political committees of such party, without itself making any expenditures to influence an election, shall not be subject to separate limit or reportable separately under this chapter; but the political committee or committees to which such contributions are allocated shall report such contributions by name and address of each contributor in making their individual reports as herein elsewhere provided, and the sums allocated to and accepted by each shall be counted toward its legal limit hereunder.

Amend section 5 of chapter 42 of the Revised Laws, as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

5. *State Committees.* The state committee of a political party shall, not later than the Wednesday preceding a biennial or special election before the close of the business day, file with the secretary of state, an itemized statement, signed and sworn to by its chairman and treasurer, showing each of its receipts with the full name and post-office address of the contributor and the amount of the contribution, and each of its expenditures or contracts calling for expenditures, with the full name and address of persons, corporations, committees, or to whomever paid or to be paid, with the specific nature and amount of each expenditure, since the date of the last election; except, if contributions through a local party committee or disbursements to a local party committee do not exceed three hundred dollars per committee, no detailed accounting of the further source or recipients of such amounts need be made. Not later than the second Friday after said election before the close of the business day another itemized statement, signed and sworn to by the same officers, shall be likewise filed. Enough additional copies of the statement shall be filed to provide a copy for the state committee of each party on the ballot, which they may obtain by application to the secretary of state.

Amend section 7 of chapter 42 of the Revised Laws, as inserted by section 1 of the bill by striking out the words "within thirty days after said primary or election" in the sixth and seventh lines and inserting in place thereof the words, not later than the second Friday after said primary or election before the close of the business day, so that said section as amended shall read as follows:

7. *Other Candidates.* Each candidate at the primary or election for councilor, state senator, county officer, or representative to the general court, and candidates for alternate delegate-at-large and alternate district delegate to a national party convention, who has expended a sum in excess of two hundred dollars, shall, not later than the second Friday after said primary or election before the close of the business day, file with the secretary of state, and with the town or city clerk for the town or city in which he resides, a statement in like manner and detail of each receipt and expenditure, cover-



ing the period of the candidacy or election; excepting, however, the expenditures of political committees of the party to which the candidate belongs in elections other than primaries.

Amend section 8 of chapter 42 of the Revised Laws, as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

8. *Political Committees.* Each other political committee at the primary or election, which has expended a sum in excess of two hundred dollars, shall, not later than the Wednesday preceding an election before the close of the business day, file with the secretary of state, a statement in like manner and detail of each receipt and expenditure, and, not later than the second Friday after an election before the close of the business day, another statement in like manner and detail of each receipt and expenditure. If the political committee is organized to support a candidate in any election, it shall first secure the written consent of the candidate or his fiscal agent, before it receives or spends any money or thing of value, and its officers shall file such written consent with the secretary of state immediately; but this limitation shall not apply to the political committee of the party to which the candidate belongs in elections other than primaries.

Amend section 9 of chapter 42 of the Revised Laws as inserted by section 1 of the bill by striking out the words "within thirty days after the primary or election" in the third and fourth lines and inserting in place thereof the words, not later than the second Friday after the primary or election before the close of the business day, so that said section as amended shall read as follows:

9. *Expenditures Under Two Hundred Dollars.* Each candidate or political committee which does not spend in excess of two hundred dollars at a primary or election shall, not later than the second Friday after the primary or election before the close of the business day, file with the secretary of state, and with the town or city clerk for the town or city in which the candidate resides, a sworn statement that receipts and expenditures have not exceeded two hundred dollars.

Amend section 17 of chapter 42 of the Revised Laws as inserted by section 1 of the bill by striking out the words "fifth day of October" in the fifth line and inserting in place

thereof the words, second Tuesday, so that said section as amended shall read as follows:

17. *Proceedings in Supreme Court.* Any person who alleges that any of the provisions of this chapter relating to the primary has been violated by or in behalf of a candidate with his knowledge and consent, may, not later than the second Tuesday following said primary, bring a proceeding in equity in the supreme court against the candidate alleged to have violated said provisions in such manner. To this proceeding the secretary of state shall be made a party defendant. The supreme court shall forthwith hear such proceeding and make final decision thereof, and if the court shall find that the defendant has thus violated any of such provisions, a decree shall be entered disqualifying the defendant from becoming a candidate at the ensuing election, and the vacancy thereby created shall be filled as provided by law.

Reading of the amendment having commenced, on motion of Mrs. Studley of Rochester, further reading was dispensed with.

The report was accepted.

The question being on the amendment.

Mrs. Studley of Rochester and Mr. Pickett of Keene spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Taylor of Whitefield, for the Committee on Appropriations, to whom was referred House Bill No. 542, An Act providing additional retirement benefits for Harry L. Hurlbert, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Hodgdon of Tuftonboro, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 30, Joint Resolution in favor of H. P. Welch Company, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Hodgdon of Tuftonboro, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 29, Joint Resolution in favor of Stanley J. Ornell, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Kelley of Littleton, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 43, Joint Resolution relative to interim committee to study senatorial districts, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Miss Bailey of Newport, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 60, Joint Resolution in favor of Austin H. Reed, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hodgdon of Tuftonboro, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 61, Joint Resolution in favor of the estate of George T. Colony, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

### **Report of Committee on Engrossed Bills**

Mrs. Hayden of Ossipee, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate bills:

Senate Bill No. 68, An Act relative to the salaries of the board of public works of Laconia.

Senate Bill No. 112, An Act relative to practice of medicine and suspension of licenses in certain cases.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 102, An Act relating to the exclusive right of the Rye Water District to acquire water rights within a part of the town of Rye.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 39, An Act relative to season for taking wild deer.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Wild Deer*. Amend section 3 of chapter 242 of the Revised Laws, as amended by chapter 191, Laws of 1943, chapter 168, Laws of 1945, chapter 268, Laws of 1949 and section 1, chapter 245, Laws of 1953 (section 2, chapter 208 RSA) by striking out said section and inserting in place thereof the following: 3. *Taking, Time*. Wild deer, outside game preserves, may be hunted and taken from one-half hour before sunrise to one-half hour after sunset, in the counties of Grafton, Coos and Carroll from November first to November thirtieth, and in all other counties in the state from December first to December twenty-first, except that no deer shall be hunted or taken at any time on any island or in any waters in lakes and ponds.

Mr. Kelley of Littleton moved that the House concur in the amendments sent down from the Honorable Senate.

The question being on the motion.

(Discussion ensued)

Messrs. Kelley of Littleton, Waling and Pickett of Keene, and Pillsbury of Manchester and Miss Spollett of Hampstead spoke in favor of the motion.

Messrs. Clement of Rochester, Lamprey of Moultonborough and Plumer of Bristol spoke against the motion.

Mr. Brown of Loudon called for a division.

A division being had, 183 members having voted in the affirmative and 83 members having voted in the negative, the motion to concur prevailed.

The bill was sent to the Secretary of State to be engrossed.

### Reconsideration

Mr. Waling of Keene moved that the House reconsider its vote whereby it concurred in the Senate amendments to House Bill No. 39.

On a *viva voce* vote the motion did not prevail.

House Bill No. 417, An Act relative to the sale of horned pout for resale, to fish and game licenses and to fishing in upper Connecticut River.

Amend said bill by striking out section 4 and inserting in place thereof the following:

4. *Upper Connecticut River.* Amend section 1 of chapter 177 of the Laws of 1953 (section 3, chapter 211 RSA) by striking out the words "the use of spinning rods and reels are hereby prohibited" so that said section as amended shall read as follows: 1. *Upper Connecticut River.* Notwithstanding regulations made by the director of fish and game, upper Connecticut river between Murphy dam and the highway bridge between Stratford and Maidstone shall be closed to all fishing except bait and fly fishing.

Further amend said bill by inserting after section 4 as hereinabove amended the following new section:

5. *Waters Open to Fly Fishing Only.* Amend section 1 of chapter 241 of the Revised Laws, as amended by chapter 9, Laws of 1949 (section 1, chapter 207 RSA), by striking out the definition of fly and inserting in place thereof the following: Fly: A hook dressed with feathers, hair, thread, tinsel or any similar material to which no spinner, spoon or similar device is added. In waters open to fly fishing only the use of a weight of any kind on the line in addition to the dressing on the hook is prohibited.

Further amend said bill by re-numbering section 5 to read section 6.



On motion of Mr. Rhodes of Walpole the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 362, An Act relative to dredging Hampton Harbor, protection of shore at Boar's Head in the town of Hampton and a study of seacoast erosion problems.

Amend the bill by adding a new section, section 4. *Old Homestead Highway*. The highway running from the boundary line of the state with the commonwealth of Massachusetts in the town of Richmond, thence running through the town of Swanzey to the city of Keene, now known as Route 32, shall be named and hereafter called the Old Homestead Highway. The Commission of Public Works and Highways shall cause suitable markers to be erected on said highway showing the name thereof.

Further amend the bill by re-numbering section 4 to read section 5.

Further amend the bill by adding the following words to the title of the bill: and the Old Homestead Highway in Cheshire County.

On motion of Mr. Pickett of Keene the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

### Personal Privilege

Mr. Bouvier of Swanzey rose on a point of personal privilege.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 113, An Act relative to the rate of tax on interest and dividends.

Senate Bill No. 128, An Act relative to the effective date of an act relative to school tuition.

Senate Bill No. 123, An Act providing for the election of county commissioners from the commissioner districts of Hillsborough County.

### Senate Bills Read and Referred

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

Senate Bill No. 113, An Act relative to the rate of tax on interest and dividends. To the Committee on Judiciary.

Senate Bill No. 123, An Act providing for the election of county commissioners from the commissioner districts of Hillsborough county. To the Special Committee consisting of the Delegation from the County of Hillsborough.

Senate Bill No. 128, An Act relative to the effective date of an act relative to school tuition. To the Committee on Executive Departments and Administration.

Mr. Metcalf of Tilton moved that the rules be so far suspended as to dispense with the reference to committee of Senate Bill No. 128, and that the bill be put upon its third reading and final passage, by title only, at the present time.

On a *viva voce* vote the motion prevailed and Senate Bill No. 128, An Act relative to the effective date of an act relative to school tuition, was read a third time and passed and sent to the Secretary of State to be engrossed.

### Resolutions

The members of the Appropriations Committee offered the following resolution:

*Whereas*, James F. Malley, Representative from Somersworth, is ill in Phillips House of the Massachusetts General Hospital, Boston, Massachusetts, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the New Hampshire General Court, hereby express our sympathy to our fellow member in his illness and our best wishes for a speedy recovery to health, and be it further

*Resolved*, that the Clerk of the House transmit to Representative Malley a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in

order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Bill No. 542, An Act providing additional retirement benefits for Harry L. Hurlbert.

House Joint Resolution No. 43, Joint Resolution relative to interim committee to study senatorial districts.

House Joint Resolution No. 60, Joint Resolution in favor of Austin H. Reed.

House Joint Resolution No. 61, Joint Resolution in favor of the estate of George T. Colony.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 3 (In New Draft), An Act relative to election campaign receipts and expenditures and their publication.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mrs. Mahoney of Concord at 12:25 o'clock the House adjourned.

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### THURSDAY, JULY 14, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Wm. E. Garabedian, Pastor Baptist Church of Campton.

God of all peoples, and our God, above the changes that time brings, Thou art changeless and eternal. Amid the confusing babble of tongues that seek to dominate our hearing and mould our wills, Thy voice stands out clear and winsome. In the realization of the power and the responsibility with which our people have entrusted us, we humbly seek Thy voice always, that every decision we make may be in accord with Thy plans and unchanging purposes.

So direct us in our deliberations and in our actions that we may always with a clear conscience be able to stand before Thee, confident that Thou wilt command our good works and forgive our mistakes because Thou knowest we sincerely have sought to do Thy will. Amen.

### Salute to the Flag

Mr. Crandall of Dover led the convention in the salute to the flag.

### Introduction of the Speaker

The Chair is pleased to welcome to the Chamber former Senator Robert W. Upton, who is here at the invitation of the Chair to tell us something about the operations and matters which normally come before a constitutional convention.

As a member of the Bar of the State of New Hampshire he has had a long and distinguished career. He has reached that position wherein he may be regarded as the dean of that group of men. Not only by vocation, but by avocation, does our guest today take part in the legislative process. He is not interested solely in placing new laws upon the books. He is more concerned that these new laws be good laws in order that the people of the State of New Hampshire might have the benefit and protection of the thinking that the Representatives manifest through legislative procedures.

He is the distinguished father of a former prominent member of the New Hampshire Legislature — one who presided at this very rostrum which your Speaker now controls, Richard Upton of the 1949 session. It is, therefore, a great pleasure to present to you the Honorable former Senator Robert W. Upton, who will address us on the subject of a Constitutional Convention.

On motion of Mr. Chamberlain of Bath the remarks were ordered printed in the Journal.

### Remarks of Former U. S. Senator Robert W. Upton

The important matters likely to command the attention of the next convention are indicated by the proceedings of the previous conventions. The size of the House of Representatives and the apportionment of its members has occupied a commanding place in every constitutional convention. Representation in the House of Representatives has been based upon the towns and wards, but the rule for apportionment has varied, although a pattern is discernible even here. The Constitution of 1784 required for the first representative 150 tax or rate payers, and for each additional representative, 300. The Legislature was empowered to class or unite towns having less than

the requisite number of taxpayers for the purpose of sending a representative. Under this system of apportionment the first House of Representatives had 91 members. No change was made until the Convention of 1876, when the House had grown to 393 members. The amendment adopted by the Convention in that year looked to population as the basis for apportionment, and provided that for the first representative a town or ward must have 600 inhabitants and for each additional representative, 1200 inhabitants. This amendment was ratified and reduced the size of the House to approximately 280 members. The Convention of 1889 adopted an amendment providing that towns having less than the minimum number of inhabitants required for a representative should send a representative a proportionate part of the time, instead of being classed as formerly, and this amendment was ratified. However, the membership of the House continued to increase, and by 1900 it had again reached approximately 400. The first four conventions held following the turn of the century proposed five amendments reducing the size of the House, all of which failed of ratification, possibly because these amendments, with a single exception, would have made the reduction at the expense of the cities and larger towns. The Convention of 1938 at its first session proposed no amendment, presumably because the previous amendments had been rejected. However, the census of 1940 disclosed another substantial increase in population with the result that the apportionment made by the Legislature of 1941 provided for a House of approximately 450 members. The President of the Convention, the late George H. Moses, advised the Legislature that he would reconvene the Convention for the purpose of considering an amendment to reduce the size of the House, if the necessary appropriation was made to cover the costs. As a result the Convention was reconvened in September, 1941, and adopted an amendment which provided that the House should consist of not less than 375 nor more than 400 members and that to entitle a town or ward to an additional representative twice as many inhabitants should be required for each additional representative as for the first representative. The Convention also proposed two other amendments, authorizing absentee voting and the special assessment of standing wood and timber. All three amendments were ratified by the people.



It will be observed that from the beginning the formula for the apportionment of representatives among the towns and wards has been weighted in favor of the smaller towns. In general the same ratio for additional representatives has been employed, although the formula has been twice changed. The record indicates that any amendment reducing the size of the House which departs materially from this formula is not likely to be ratified. The representation of towns having less than the requisite population has been continued on a proportionate part-time basis. There are now more than 100 towns which send representatives a proportionate part of the time, and approximately 50 of these send representatives to only two of the five sessions covered by the present apportionment. Many of these towns are contiguous and without hardship could be classed together for the purpose of choosing a representative, thus giving continuous representation to the inhabitants. The next convention undoubtedly will have before it amendments empowering the Legislature to classify such towns for the purpose of choosing a representative.

The heavy burden of taxation makes reasonably certain that a determined effort will be made to revise the Constitution to confer greater authority on the legislature in the levy and assessment of taxes. This ought not to be necessary as the provisions of the Constitution are sufficiently broad to confer all needed power upon the legislature. The Constitution was drafted when New Hampshire was an independent state bound to the other states by the loose ties of the confederation. The framers of the Constitution conferred upon the legislature and the executive departments the powers essential to war and peace. For nearly fifty years following the adoption of the Constitution, the legislature levied a great variety of taxes and assessments and placed a practical construction upon the provisions of the Constitution relating to taxation, sufficiently broad to meet the requirements of our more complex society. However, in a series of cases beginning with *Railroad v. State*, 60 N. H. 87, decided in 1880, the Supreme Court adopted a strict construction of the Constitution which practically excluded all forms of taxation except the general property tax. The Constitutional Amendment of 1902 opened the way for the levy of taxes on inheritances, franchises and other classes of property, which includes property passing by sale and prop-

erty received as income. However, the rule enunciated in Railroad v. State that property must be assessed at a uniform valuation and a uniform rate excludes graduated taxes and leaves in doubt the authority of the legislature to classify property according to kind or use for the purpose of taxation. While the legislature now clearly has broad power in the field of taxation, as indicated by the recent decisions and advisory opinions of the Supreme Court, amendments to confer greater authority, including the power to levy graduated taxes on income and inheritances, will undoubtedly be among the important measures considered by the next convention.

Since 1900, six conventions have been held and the seventh is to be convened next May. The great majority of the amendments proposed by these conventions have been rejected. Some of the conventions have been held when there was no clearly defined interest in constitutional revision. This has been due to the peculiar provisions of the Constitution providing that the sense of the people shall be taken every seven years, and since 1900 the vote has been unfailingly for a convention. Thomas Jefferson strongly commended such procedure, claiming that Constitutions ought to be rewritten every generation. However, our experience indicates that the time for taking a referendum might be increased from seven to ten years, or even longer, consistently with the public good. Governor Dwinell has proposed that the legislature be empowered to submit amendments to the Constitution. The great majority of state constitutions provide that amendments may be proposed either by the legislature or by constitutional conventions. In those states, the constitutional convention is usually convened only when a general revision of the Constitution is deemed necessary. The mode of amending the Constitution will be among the important issues before the next convention.

On motion of Mr. Chamberlain of Bath a rising vote of appreciation was given to Senator Upton.

### Leaves of Absence

Mrs. Holmes of Amherst was granted leave of absence for the day on account of important business.

Mr. Eastman of Exeter was granted leave of absence for the day on account of illness in the family.

### Introduction of a Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules (Mr. Angus of Claremont), House Bill No. 544, An act relative to the salary of the justice of the Claremont municipal court. To the Special Committee consisting of the Delegation from the City of Claremont.

On motion of Mr. Angus of Claremont the rules were suspended to dispense with the printing of House Bill No. 544.

### Gift to Speaker

Mr. Littlehale of Durham presented the Speaker with a gift on behalf of the delegation from Durham.

### Committee Reports

Mr. Gardner of Littleton, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 57, An Act relative to the solicitation of bribes, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Bribery.* Amend section 25 of chapter 457 of the Revised Laws (chapter 587, RSA) by striking out said section and inserting in place thereof the following:

25. *Giving Bribes.* If any person shall give, offer or promise to any officer or employee of the state, or of a county, city, town or district, any money, services or other thing of value with intent to influence his action as to any matter over which said officer or employee has control or is entrusted with on behalf of the body by which he is employed, he shall be imprisoned not more than five years or fined not more than three thousand dollars, or both.

2. *Solicitation.* Amend section 26 of chapter 457 of the Revised Laws (chapter 587, RSA) by striking out said section and inserting in place thereof the following: 26. *Receiving or Soliciting Bribes.* If any officer or employee of the state, or of a county, city, town or district, shall accept, offer to accept

or solicit the making of any gift, offer or promise made as aforesaid, he shall be imprisoned not more than ten years, or fined not more than five thousand dollars, or both, and shall be disqualified thereafter to hold any public office, trust or appointment.

3. *Takes Effect.* This act shall take effect upon its passage.

Reading of the amendment having commenced, on motion of Mr. Rainie of Concord, further reading was dispensed with.

The report was accepted.

The question being on the amendment.

Mr. Rainie of Concord spoke in favor of the amendment.

Mr. Perley of Lebanon moved that the amendment be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Perley of Lebanon and Pickett of Keene spoke in favor of the motion.

Mr. Rainie of Concord spoke against the motion.

Mr. Sheridan of Berlin called for a division.

A division being had, 57 members having voted in the affirmative and 194 members having voted in the negative, the motion did not prevail.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Griffin of Auburn, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 522, An Act relative to solicitation and collection of funds for charitable purposes, having considered the same, reported the same with the following resolution:

*Resolved*, That it be referred to the Legislative Council.

The Minority of the Committee on Executive Departments and Administration, to whom was referred House Bill No. 522, An Act relative to solicitation and collection of funds for charitable purposes, having considered the same, and being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of chapter 171-B as inserted by section 1 of the bill by striking out the words "in excess of two hundred and fifty dollars" in the eighth line, so that said section as amended shall read as follows:

1. *Solicitation.* No person, group of persons, firm, association, foundation or corporation, except as hereinafter provided, shall solicit funds or other property, by any means whatsoever for charitable or benevolent purposes, until such person, group of persons, firm, association, foundation or corporation shall have provided certain information concerning such solicitation as required by the terms of this section, on forms to be provided by the state department of welfare. The forms to be filled out shall be known as (1) statement of intentions, which shall be filed prior to solicitations as provided in section 4 and (2) statement of results, which shall be filed after the solicitation. All such statements shall be signed under oath. The original and one copy thereof shall be filed with the department of public welfare and a duplicate copy of each shall be retained by the person or persons filing the same for at least three months after said filing.

Amend section 4 of chapter 171-B as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

4. *Exceptions.* The provisions of section 1 shall not apply to:

I. Educational institutions when solicitation of contributions is confined to its student body and their families, alumni, faculty, and trustees.

II. Fraternal, religious, patriotic, and social organizations when solicitation of contributions is confined to its membership and patrons.

III. Persons requesting any contributions for the relief of any individual, specified by name at the time of the solicitation, if all of the contributions collected, without any deductions whatsoever, are turned over to the named beneficiary.

IV. Any person, group of persons, firm, association, foundation or corporation collecting on an annual basis who shall file once each year.

GEORGE L. LAVOIE

*For the Minority of the Committee.*

The reports were accepted.



Mr. Lavoie of Manchester moved that the report of the minority be substituted for that of the majority.

The question being on the motion.

(Discussion ensued)

Messrs. Lavoie and Mahony of Manchester spoke in favor of the motion.

Messrs. Rainie of Concord and Clement of Rochester spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the resolution of the committee.

On a *viva voce* vote the resolution of the committee was adopted.

Mr. Ecker of Manchester, for the Committee on Executive Departments and Administration, to whom was referred House Bill No. 540, An Act authorizing the Merrimack Village District to issue bonds or notes, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of the bill by inserting after the word "utilities" in the seventh line the words, within the district, so that said section as amended shall read as follows:

1. *Authorization.* The Merrimack Village District in the town of Merrimack is hereby authorized to incur indebtedness in an amount not exceeding one hundred fifty thousand (\$150,000.) dollars, excluding the amount authorized by chapter 72 of the Revised Laws, for the purpose of purchasing or constructing, or both, and maintaining and operating such water works system as it may deem necessary for municipal use and for the use of its inhabitants and others. Said district shall have all necessary power to take any property, including any existing utilities within the district, in accordance with the provisions of section 3, chapter 56, of the Revised Laws (section 3, chapter 38, RSA), that it may need in connection with the establishment of such water system, by condemnation proceedings.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Beamis of Somersworth, for the Judiciary Committee, to whom was referred the resolution offered by Mr. Maloomian of Somersworth, memorializing the President of the United

States, having considered the same, reported the same with the following amendment, and the recommendation that the resolution as amended ought to pass.

Amend said resolution by striking out the same and inserting in place thereof the following:

*Whereas*, Russia has taken by force several countries in Asia and in Europe which were formerly free countries, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire General Court, endorse the purpose of the United States to urge and work for the liberation of these countries at the most opportune time, and be it further

*Resolved*, that the Clerk of the House transmit to the Committees on Foreign Relations of the United States Congress a copy of these resolutions.

The report was accepted.

The question being on the amendment.

Messrs. Maloomian of Somersworth and Pillsbury of Manchester spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

The question being on the resolution of the committee.

On a *viva voce* vote the resolution of the committee was adopted.

### **Presentation to the Speaker**

Mr. Buckley of Mont Vernon presented to the Speaker a copy of a book entitled, Government of New Hampshire, on behalf of Mr. Morrison, the author.

### **Order Vacated**

Mr. Black of Bennington moved that the order whereby the resolution relative to the naming of the Newington Air Force Base was referred to the Committee on Military and Veterans' Affairs be vacated, and that action be taken on it by the House at the present time.

The question being on the motion.

(Discussion ensued)

Mr. Black of Bennington spoke in favor of the motion.

Mr. Bloomfield of Claremont and Mrs. Brungot of Berlin spoke against the motion.

Mrs. Dondero of Portsmouth moved that the subject matter of the resolution and the motion made by the member from Bennington be made a special order of business for Tuesday, July 19, at 11:01 o'clock.

The question being on the motion.

(Discussion ensued)

Mrs. Dondero of Portsmouth spoke in favor of the motion.

Mr. Pillsbury of Manchester spoke against the motion.

Mrs. Dondero of Portsmouth then withdrew her motion.

Mr. Black of Bennington then withdrew his motion.

### **Report of Committee on Engrossed Bills**

Mrs. Hundley of Portsmouth, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following House bills:

House Bill No. 245, An Act dividing Grafton County into commissioner districts.

House Bill No. 415, An Act relative to neglect of husband or father to support wife and children and neglect of mother, and relative to temporary court orders in annulment proceedings and divorces.

The report was accepted.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 109, An Act authorizing the creation of regional planning commissions, having considered the same, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the first five lines of section 1 and inserting in place thereof the following:

1. *Regional Planning Permitted.* Amend chapter 53 of the Revised Laws by striking out sections 37 and 38 (section 37, chapter 36 RSA) and inserting in place thereof the following new subdivision:

### **Regional Planning Commissions**

37. *Purposes.* The purpose of this subdivision shall be to enable municipalities and counties

Further amend said bill by renumbering the sections num-

bered 37b, 37 c, 37 d, 37 e, 37 f, 37 g, 37 h to read, 38, 39, 40, 41, 42, 43 and 44.

Further amend said bill by striking out the word "act" in section 37c renumbered 39, and insert the word, subdivision.

On motion of Mr. Barney of Rumney the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 116, An Act relating to the powers and duties of towns, having considered the same, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relating to solicitation of funds for charitable purposes.

On motion of Mr. Rainie of Concord the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 307, An Act to increase the salaries of the county commissioners of Hillsborough county, having considered the same, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *County Commissioners.* Amend section 27 of chapter 47 of the Revised Laws, as amended by chapters 119, 150, 195 and 202 of the Laws of 1943, chapters 66 and 163 of the Laws of 1945, chapters 202 and 284 of the Laws of 1947, chapters 73 and 162 of the Laws of 1949, chapters 149 and 233 of the Laws of 1951, chapters 90 and 123, Laws of 1953 (section

28, chapter 28 RSA) and by section 4, chapter 247, Laws of 1955, by striking out the words "In Hillsborough, thirty-five hundred" and inserting in place thereof the words, In Hillsborough, three thousand seven hundred and fifty, so that said section as amended shall read as follows 27. *Commissioners.* The annual salary of each commissioner of the following counties shall be as follows, payable monthly by the county:

In Rockingham, eighteen hundred dollars.

In Strafford, fifteen hundred dollars.

In Belknap, fifteen hundred dollars.

In Merrimack, two thousand dollars.

In Hillsborough, three thousand seven hundred and fifty dollars.

In Cheshire, fifteen hundred dollars.

In Sullivan, twelve hundred dollars.

In Grafton, eighteen hundred dollars.

In Coos, fifteen hundred dollars.

In Carroll county each commissioner, when employed in business of the county, shall receive ten dollars a day, payable as hereinbefore provided.

To the foregoing sums shall be added, in all counties, a reasonable sum for all necessary expenses, upon order of the county auditors.

Amend section 3 of said bill by renumbering the same, striking out the same and inserting in place thereof the following:

2. *Takes Effect.* The foregoing provisions of section 1 which provide for an increase in the salaries of the commissioners of the county of Hillsborough shall take effect upon the passage of this act. The remaining provisions hereof shall take effect as of January 1, 1955.

On motion of Mr. Danforth of Manchester the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence in the amendments.

### Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following en-



titled bill and joint resolution sent up from the House of Representatives:

House Bill No. 424, An Act providing for fixing a date for the determination of stockholders of record on the closing of stock transfer books.

House Joint Resolution No. 52, Joint Resolution relative to purchase of boat for the fish and game department.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 489, An Act relative to registration and re-registration of partnerships.

Pursuant to the above, the Chair appointed as members of such committee on the part of the Senate, Senator Merrill, District No. 23, and Senator Cleveland, District No. 7.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 35, Joint Resolution in favor of the Y. D. National Convention.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 397, An Act to establish a comfort station at North Beach in Hampton.

Further amend the bill by adding at the end of section 2 the following:

The sale of merchandise by the Department of Forestry and Recreation in the facility provided by section 1 shall be limited to sale by vending machines of cigarettes and beverages.

On motion of Mr. Pillsbury of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 86, An Act relative to expenses of members of commission on interstate cooperation.

Senate Bill No. 117, An Act amending Chapter 226 of the Session Laws of 1921.

### **Senate Bills Read and Referred**

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

Senate Bill No. 86, An Act relative to expenses of members of commission on interstate cooperation. To the Committee on Appropriations.

Senate Bill No. 117, An Act amending Chapter 226 of the Session Laws of 1921. To the Special Committee consisting of the delegation from the city of Manchester.

### **Resolutions**

Mr. Hancock of Concord offered the following resolution:

*Resolved*, that 500 copies of a numerical listing of the seats of the House of Representatives followed by the name and the town represented by them be made for the purpose of more easily identifying the number plates issued by the motor vehicle commission to the members and that such listing be proportioned to fit into the pages of the Black Manual.

The resolution was referred to the Committee on Rules.

### **Personal Privilege**

Mr. Cole of Lebanon rose on a point of personal privilege.

### **Committee Appointment**

The Speaker announced the following additional members to the Committee on Memorial Services: Mrs. Fontaine of Berlin and Mrs. Hayden of Ossipee.

### **Resolutions**

Mr. Pillsbury of Manchester offered the following resolution:

*Resolved*, that when the House adjourns today it be in respect to the high tradition of liberty associated with the freeing of the Bastille prisoners on July 14, 1789.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 540, An Act authorizing the Merrimack Village District to issue bonds or notes.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 57, An Act relative to the solicitation of bribes.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mrs. Dondero of Portsmouth at 1:42 o'clock the House adjourned.

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TUESDAY, JULY 19, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God, the fountain of wisdom, whose statutes are good and gracious, and whose laws are truth; we beseech Thee to guide and bless this General Court in the remaining days of this session, that it may enact such legislation for the people of this commonwealth as shall be pleasing in Thy sight. Give, we beseech Thee, to the members of this law making body, vision, tolerance, wisdom, and the consciousness that they are working with and for Thee in the performance of their task. Almighty Father, be Thou with us as we endeavor to protect and preserve the cherished heritage of our forefathers, and build a state and a nation that will not only be a credit to our efforts, but merit Thy approval. Through Jesus Christ our Lord. Amen.

### Salute to the Flag

Mrs. Brungot of Berlin led the convention in the salute to the flag.

### Leaves of Absence

Mr. Merrill of Exeter was granted leave of absence for Tuesday and Wednesday on account of important business.

Mrs. Frizzell of Charlestown was granted leave of absence for two weeks on account of important business.

Messrs. Charbonneau of Northumberland and Walker of Concord were granted leaves of absence for the week on account of important business.

Mr. Cilley of Concord was granted leave of absence for the day on account of illness.

Mrs. Funkhouser of Durham was granted leave of absence for the day on account of important business.

### Committee Reports

(Mr. Reed of Goffstown in Chair)

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred House Bill No. 526, An Act relative to the distribution of copies of the Revised Statutes Annotated to members of the General Court, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Revised Statutes Annotated; Special Edition.* The secretary of state is hereby directed to obtain from the printers one thousand and fifty copies of the Revised Statutes Annotated and to have the same bound with material less expensive than the binding of the so-called official bound copies provided for by chapter 231, Laws of 1955. The secretary of state shall make the following distribution of the special edition of RSA free of charge except as hereinafter provided: I. One copy of said special edition to each member of the general court who shall make application in writing therefor on or before August 1, 1955, provided that if said member shall desire the official bound copy he may have the same instead of the special edition upon payment of the difference in cost between the two editions. II. One copy of said special edition to any department of the state, except the secretary of state, the state treasurer, the comptroller and the attorney general, who may request the same. III. A sufficient number of copies to the state library

for distribution to public libraries meeting the requirements established by the state library commission. IV. One copy to each duly constituted municipal court. V. One copy to each town clerk for the use of the town. VI. Any copies of the special edition which remain after the distribution hereby authorized shall remain in the hands of the secretary of state to be distributed upon payment of such price as shall be determined by the governor and council.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Appropriation.* There is hereby appropriated the sum of twelve thousand dollars, or as much as may be necessary, to be expended by the secretary of state for the purchase and binding of the special edition of RSA as provided in section 1. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Lavoie of Manchester, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 118, An Act relating to the school district of the town of Rye, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

(Speaker in Chair)

Mrs. Frizzell of Charlestown, for the Committee on Judiciary, to whom was referred Senate Bill No. 13, An Act relating to re-assessment procedures, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the words "or upon its own motion" in the eighth line so that said section as amended shall read as follows:

1. *State Tax Commission.* Amend section 12 of chapter 82 of the Revised Laws (section 12, chapter 71, RSA) by striking out said section and inserting in place thereof the following: 12. *Re-Assessment.* The commission shall re-



ceive complaints and carefully inquire, investigate and examine into all cases where it is alleged that property subject to taxation has not been assessed, or has been fraudulently or for any reason improperly or unequally assessed, or the laws in any manner evaded or violated. It may in such cases order re-assessments, or cause such re-assessments to be made, or any or all real and personal property, or either, in any assessment district, when in the judgment of the commission such re-assessment is advisable or necessary, to the end that all classes of property in such assessment district shall be assessed in accordance with the law.

Amend section 2 of said bill by striking out the words "in its sole discretion" in the sixth and seventh lines, so that said section as amended shall read as follows:

2. *Local Officials.* Amend section 13 of chapter 82 of the Revised Laws (section 13, chapter 71, RSA) by striking out said section and inserting in place thereof the following:

13. *Procedure for Re-Assessment.* The commission may order the selectmen to make such re-assessment or it may cause such re-assessment to be made by its own employees, or others employed by it. In making such re-assessment the commission may determine whether the values determined shall be used for the assessment of taxes for the year in which the re-assessment is made or for the assessment to be made in the succeeding year.

Reading of the amendment having commenced, on motion of Mr. Faulkner of Keene further reading was dispensed with.

The report was accepted.

The question being on the amendment.

Mr. Shattuck of Danville moved to substitute the words "inexpedient to legislate" for the words, ought to pass with amendment.

The question being on the amendment.

(Discussion ensued)

Mr. Shattuck of Danville spoke in favor of the motion.

Mr. Faulkner of Keene spoke against the motion.

Mrs. Holmes of Amherst moved that the bill be recommitted.

On a *viva voce* vote the motion prevailed.

Mrs. Dondero of Portsmouth, for the Committee on Judiciary, to whom was referred Senate Bill No. 121, An Act relative to salaries of court stenographers, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Peaslee of Wakefield, for the Committee on Public Health, to whom was referred Senate Bill No. 96, An Act providing for referendum vote on the use of fluorides in public water supplies, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

### **Report of Committee on Engrossed Bills**

Mrs. Palmer of Plaistow, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate and House bills and House joint resolutions:

Senate Bill No. 102, An Act relating to the exclusive right of the Rye Water District to acquire water rights within a part of the town of Rye.

Senate Bill No. 128, An Act relative to the effective date of an act relative to school tuition.

House Bill No. 39, An Act relative to season for taking wild deer.

House Bill No. 362, An Act relative to dredging Hampton Harbor, protection of shore at Boar's Head in the town of Hampton and a study of seacoast erosion problems, and the Old Homestead Highway in Cheshire County.

House Joint Resolution No. 52, Joint Resolution relative to purchase of boat for the fish and game department.

House Joint Resolution No. 60, Joint Resolution in favor of Austin H. Reed.

House Bill No. 397, An Act to establish a comfort station at North Beach in Hampton.

House Bill No. 424, An Act providing for fixing a date for

the determination of stockholders of record or the closing of stock transfer books.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 3 (In New Draft), An Act relative to election campaign receipts and expenditures and their publication.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following captioned joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 60, Joint Resolution in favor of Austin H. Reed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 4, An Act providing for local option for towns on the question of use of firearms in hunting deer in said towns.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the marking of the line dividing the state for the purpose of the taking of deer.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Division of State for Taking Deer.* The fish and game department is directed to erect, at every intersection of a public way and the line which divides the state for the purpose of open season for taking wild deer, a suitable marker which will show the location of said line.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Plumer of Bristol the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 125, An Act relative to the operation of motor vehicles by minors under the age of eighteen years.

Senate Bill No. 126, An Act relative to mileage allowances for legislative officers and employees.

Senate Bill No. 127, An Act relative to the layout of limited access highways and to the Rye Water District.

Senate Bill No. 130, An Act relative to transfer of diagnostic laboratories to the state hospital.

### **Senate Bills Read and Referred**

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

By Senator Colburn of District No. 12, Senate Bill No. 125, An Act relative to the operation of motor vehicles by minors under the age of eighteen years. To the Committee on Transportation.

By Senator McMeekin of District No. 3, Senate Bill No. 126, An Act relative to mileage allowances for legislative officers and employees. To the Committee on Appropriations.

By Senator Packard of District No. 16, Senate Bill No. 127, An Act relative to the layout of limited access highways. To the Committee on Public Works.

By Senator Smalley of District No. 21, Senate Bill No. 130, An Act relative to transfer of diagnostic laboratories to the state hospital. To the Committee on Appropriations.

### **Resolutions**

The following resolution was offered by the Committee on Military and Veterans' Affairs:

*Whereas*, a resolution to memorialize Sgt. William A. Dumont of Berlin, who was murdered while a prisoner of war,

by designating in his honor the new Air Force installation, has been introduced in the New Hampshire House of Representatives, and

*Whereas*, a similar resolution to memorialize Capt. Harl Pease, Jr. of Plymouth, holder of the Congressional Medal of Honor, has also been introduced in the House, and

*Whereas*, a third resolution, suggesting the use of the geographical name of Portsmouth in memory of all deceased Air Force veterans of New Hampshire, has also been introduced in the House, and

*Whereas*, re-designation of the base will not be in order for final consideration until its completion, and

*Whereas*, the Department of the Air Force has established a procedure to be followed, such procedure being outlined in AFR 34-55, and

*Whereas*, this procedure provides that all names be submitted to the Air Force Memorialization Program Committee for consideration and authority for the final selection rests with the Chief of Staff, Department of the Air Force, with due regard to certain standards and qualifications which are also prescribed, and

*Whereas*, any interested individual or group may submit names to said committee, and action by the House of Representatives would in no way be conclusive but would be considered in the same manner as other names so submitted, and

*Whereas*, the New Hampshire House of Representatives has no desire to influence the committee either favorably or unfavorably on the selection of any name but rather would prefer everyone to have equal opportunity to present names of his choice, therefore be it

*Resolved*, by the New Hampshire House of Representatives that it forward without recommendation the three names submitted to it to the Air Force Memorialization Program Committee and request all interested parties to submit any supporting data they feel may be helpful to the committee, and be it further

*Resolved*, that a copy of these resolutions, with copies of the three resolutions referred to above, be forwarded to said committee.

The question being on the resolution.



Messrs. Chase of Dover, Brown of Loudon, Fortier of Berlin and Mrs. Dondero of Portsmouth spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

### Committee Reports

Mr. Chase of Dover, for the Committee on Military and Veterans' Affairs, to whom was referred a resolution relative to naming the Newington Air Force Base in memory of Harl Pease, Jr., having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by resolutions submitted herewith.

The report was accepted and the resolution of the committee adopted.

Mr. Chase of Dover, for the Committee on Military and Veterans' Affairs, to whom was referred a resolution naming the Newington Air Force Base the "Portsmouth Air Base," having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by resolutions submitted herewith.

The report was accepted and the resolution of the committee adopted.

Mr. Chase of Dover, for the Committee on Military and Veterans' Affairs, to whom was referred a concurrent resolution naming the Newington Air Force Base in memory of William A. Dumont, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate, subject matter covered by resolutions submitted herewith.

The report was accepted and the resolution of the committee adopted.

### Resolutions

Mr. Rathbone of Exeter offered the following resolution:

*Resolved*, that when the House adjourns today it does so in commemoration of the patriotism of Major General John Stark and John Langdon, a former Speaker of this House as follows: At a special session of the Legislature July 17, 18, 19,

1777, of which this is the 177th anniversary, the Second Brigade of the State Militia was placed under the command of General Stark and directed to proceed to Bennington, and John Langdon of Portsmouth, Speaker of the House took the floor of this House in convention and pledged his personal fortune to finance the costs of the expedition, and thus was set in motion the forces which won a brilliant victory at Bennington, one of the decisive battles of the American Revolution.

On a *viva voce* vote the resolution was adopted.

The Concord Delegation offered the following resolution:

*Whereas*, Charles J. McKee, Representative from Ward 7, Concord, is ill in the Margaret Pillsbury Hospital, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire General Court, extend our sympathy to our fellow member in his illness, and our best wishes for a speedy recovery to health, and be it further

*Resolved*, that the Clerk of the House transmit a copy of these resolutions to Representative McKee.

On a *viva voce* vote the resolution was adopted.

Mr. Pillsbury of Manchester offered the following resolution:

*Whereas*, Betty Dwinell, wife of our Honorable Governor, Lane Dwinell, is ill in the Hanover Hospital, and

*Whereas*, Mrs. Dwinell has the highest respect of all those who know her, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire General Court, express our deepest sympathy to her in her illness and our most fervent wish for her speedy recovery to health, and be it further

*Resolved*, that the Clerk of the House send flowers and a copy of these resolutions to Mrs. Dwinell.

On a *viva voce* vote the resolution was adopted.

### Concurrent Resolution

Miss Collyer of Lisbon offered the following concurrent resolution.

*Resolved*, by the House of Representatives, the Senate concurring, that we recommend to the Constitutional Conven-

tion, which is to convene in 1956, that the membership of the House be limited to 200 members, every town to be represented, in groups, and the cities to have less membership from wards, and be it further

*Resolved*, that the membership of the Senate be increased by ten members.

The question being on the concurrent resolution.

(Discussion ensued)

Miss Collyer of Lisbon spoke in favor of the resolution.

Messrs. Pillsbury of Manchester, Angus of Claremont, Pickett of Keene and Mrs. Brungot of Berlin spoke against the motion.

On a *viva voce* vote the concurrent resolution was not adopted.

Miss Collyer of Lisbon called for a division.

A division being had 9 members having voted in the affirmative, and 241 members having voted in the negative, the concurrent resolution was not adopted.

### Personal Privilege

Miss Collyer of Lisbon rose on a point of personal privilege.

Miss Collyer of Lisbon offered the following concurrent resolution.

*Resolved*, by the House of Representatives, the Senate concurring, that we recommend to the Constitutional Convention, which is to convene in 1956, that the general court meet in annual session, said session to be limited to 90 days, the members to be elected for a two year term, and be it further

*Resolved*, that the salary of the members of the general court be \$1,000 for the two year term, to be paid in installments of \$500 per year for each of the two years.

On a *viva voce* vote the concurrent resolution was not adopted.

Mr. Brown of Loudon offered the following concurrent resolution.

*Whereas*, it appears that all necessary legislative work may be accomplished by Thursday, July 28, next, therefore be it

*Resolved*, by the House of Representatives, the Senate concurring, That the present session of the Legislature be

brought to final adjournment on Thursday, July 28, next, at 5:00 o'clock in the afternoon, and be it further

*Resolved*, that on that date all reports, bills and joint resolutions, with the exception of those such as have been referred to the Legislative Council, Judicial Council and the next legislature, be indefinitely postponed.

On motion of Mr. Pillsbury of Manchester the concurrent resolution was laid upon the table.

### Introduction of a Joint Resolution

Mr. Pillsbury of Manchester moved that the rules be suspended to permit the introduction of a joint resolution.

On a *viva voce* vote the motion prevailed.

House Joint Resolution No. 63, Joint Resolution relative to mileage allowances for Alonzo P. Weeks and others, was introduced, read a first and second time, and referred to the Committee on Appropriations.

### Printing Dispensed With

On motion of the same member the rules were suspended to dispense with the printing of House Joint Resolution No. 63.

On motion of Mr. Wadleigh of Milford, the rules were suspended to allow business in order at 3.00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 526, An Act relative to the distribution of copies of the Revised Statutes Annotated to members of the General Court.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 118, An Act relating to the school district of the town of Rye.

Senate Bill No. 121, An Act relative to salaries of court stenographers.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Griffin of Auburn at 12:50 o'clock the House adjourned.

WEDNESDAY, JULY 20, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain, Rev. Glenn Welmer Douglass, Pastor Hannah Tenney Memorial, Salem, N. H.

O God, our Father, before whom every knee should bow and to whom every tongue confess, and from whom we receive all things richly to enjoy. We thank Thee for the State of New Hampshire with its glorious mountains and lakes in the beauty of full summer; for those who have faithfully served her in days gone by and for those who now serve in the making of her laws and in the furtherance of her highest interests.

Grant them this day clarity of mind, pure and persistent purpose until they shall accomplish that which needs to be done.

Likewise bless, we pray thee, our great country, our governor, and our president as he takes council with high representatives of nations at Geneva, and may this conference result in the furtherance of the welfare of the world.

In the name of Him who is the Prince of Peace. Amen.

### **Salute to the Flag**

Mr. Bradley of Hanover led the convention in the salute to the flag.

### **Leave of Absence**

Mr. Jennings of Goffstown was granted leave of absence for the day on account of important business.

### **Committee Reports**

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred House Bill No. 543, An Act relative to compensation of legislative employees, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Brown of Keene, for the Special Committee consisting of members from the City of Keene, to whom was referred House Bill No. 538, An Act relating to the Union School District of Keene, having considered the same, reported the same



with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Authorization.* The Union School District of Keene is hereby authorized to use the balance of the so-called Gymnasium Fund amounting to two hundred thirty-three thousand five hundred twenty-six dollars, plus accumulated interest, for the necessary construction of additions to present elementary or secondary school buildings.

2. *Takes Effect.* This act shall take effect when approved by a vote of two-thirds of those present and voting at a special meeting of said district to be held on September 22, 1955, or at any other annual or special meeting duly called thereafter, provided that the warrant for said meeting shall contain an article calling for the consideration of such approval, and provided further that the requirements in section 3 of chapter 139, Revised Laws, as amended, to the effect that a majority of all the legal voters must be present and vote at such special meeting, shall not be applicable.

The report was accepted.

The question being on the amendment.

Mr. Bennett of Keene spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

### Special Order

Mr. Black of Bennington moved that the Special Committee consisting of the delegation from the City of Manchester be instructed to report Senate Bill No. 123, An Act providing for the election of County Commissioners from the commissioner districts of Hillsborough county, and that it be made a special order for Tuesday, July 26, at 11:01 o'clock.

The question being on the motion.

Messrs. Black of Bennington and Pillsbury of Manchester spoke in favor of the motion.

Mr. Casey of Manchester spoke against the motion.

Mr. Pillsbury of Manchester called for a division.

Mr. Lesmerises of Manchester demanded the yeas and nays but subsequently withdrew his demand.

A division being had, 181 members having voted in the affirmative, and 96 members having voted in the negative, the motion prevailed.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred House Bill No. 94, An Act relative to the taking of oysters and clams, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of the bill by inserting after the word "oysters" the words, lobsters, crabs, so that said title as amended shall read as follows:

An Act relative to the taking of oysters, lobsters, crabs and clams.

Amend section 4 of the bill by striking out said section and inserting in place thereof the following:

4. *Fines.* Amend section 64 of chapter 245 of the Revised Laws, as amended by chapter 124, Laws of 1943 and chapter 199, Laws of 1953 (section 57, chapter 211, RSA) by striking out said section and inserting in place thereof the following: 64. *Penalty.* Whoever violates a provision of section 63, or any rule or regulation promulgated thereunder relative to taking or possessing clams or clam worms shall be fined not more than ten dollars and not more than five dollars for each peck of clams taken or possessed in violation thereof.

Further amend said bill by inserting after section 6 the following new sections:

7. *Licenses.* Amend section 43 of chapter 245 of the Revised Laws, as amended by section 3, chapter 12, Laws of 1950 (section 21, chapter 211, RSA) by striking out in the fourth line the words "in the discretion of the director" so that said section as amended shall read as follows: 43. *Revocation: Suspension.* Persons convicted for violation of the provisions pertaining to taking lobsters and crabs shall forfeit their license for not more than one year. If an appeal is taken the license shall be suspended pending the disposition of said case and for not more than one year thereafter from date of conviction by the higher court. The director shall revoke the license of any person who has been found guilty in any court a second time within five years of the first finding of guilt,

of a violation of any such laws or regulations, for a period of not less than one, nor more than three years from the date of such finding or conviction. The director may order any license to be suspended or revoked, after due hearing, for any cause that he may deem sufficient. Any person whose license has been revoked or suspended shall not accompany any licensed fisherman or assist him in any way while he is engaged in taking or transporting lobsters or crabs.

8. *Residence Requirement.* Amend section 44 of chapter 245 of the Revised Laws, as amended by section 5, chapter 12, Laws of 1950 (section 23, chapter 211, RSA) by adding at the end thereof the following: Provided further that the five year resident requirement for a license shall be waived in the case of a resident who does not at any one time use more than five traps for taking of lobsters, so that said section as amended shall read as follows: 44. *Who May Take Lobsters and Crabs.* No person shall take lobsters or crabs from the waters of New Hampshire unless he is a bona fide resident of the state, and no license shall be issued to a person unless he shall furnish proof that he has resided within the state for at least five years immediately preceding this application for a license and has not during that time claimed a residence in any other state for any purpose. Provided further that the five year resident requirement for a license shall be waived in the case of a resident who does not at any one time use more than five traps for taking of lobsters.

9. *Canned Lobster Meat.* Amend section 47-b of chapter 245 of the Revised Laws, as inserted by section 3, chapter 200 of the Laws of 1951 (section 29, chapter 211, RSA) by adding at the end thereof the following: Provided, however, that the provisions of this section shall not prohibit the sale of lobsters canned in hermetically sealed cans not requiring refrigeration when the contents of the cans do not weigh over eight ounces net, so that said section as amended shall read as follows: 47-b. *Lobster Meat.* No person, firm or corporation shall transport, possess or offer for sale lobster meat from sources outside the jurisdiction of this state unless such meat shall comply with section 47 of this chapter. The inclusion of any such meat of less than the prescribed legal length within any container, package, receptacle or tray shall subject all such meat included in said container, package,

receptacle, or tray to be forfeited and the possessor of such meat shall be subject to the penalty imposed for violation of section 47. The provisions of this section shall not apply to lobster meat processed outside the jurisdiction of this state and shipped directly in interstate or foreign commerce to a person, firm or corporation duly licensed to sell said lobster meat within this state. The burden of proving that lobster meat offered for sale was purchased in interstate or foreign commerce shall be upon the person, firm or corporation selling same. Provided, however, that the provisions of this section shall not prohibit the sale of lobsters canned in hermetically sealed cans not requiring refrigeration when the contents of the cans do not weigh over eight ounces net.

10. *Clams.* Amend section 63 of chapter 245 of the Revised Laws as amended by chapter 124 of the Laws of 1943, chapter 132 of the Laws of 1945, chapter 214, Laws of 1951 and chapter 215 of the Laws of 1953 (section 56, chapter 211, RSA) by striking out said section and inserting in place thereof the following: 63. *Clams; Regulations; Licenses and Permits.* Residents of this state and non-residents owning real estate in the state licensed by the fish and game commission shall be permitted to dig one peck of clams per day for personal use but not for commercial use within the public waters or flats of New Hampshire but such clams shall not be taken between two hours after sunset and one hour before sunrise. Said residents and non-residents shall be permitted to dig clams in the aforesaid places by the use of clam-digging forks. Clam worms shall not be dug for resale except by residents of this state. Provided further that these restrictions shall not apply to the fish and game commission or its authorized representatives in conducting their experimental work. No clams under two inches shall be taken. The commission shall require annual licenses and permits for the taking of clams and shall charge a fee of two dollars for each such license. The director may authorize town or city clerks to issue clam licenses for a fee of two dollars, twenty cents of each fee to be retained by said clerk.

Further amend the bill by renumbering section 7 to read section 11.

Reading of the amendment having commenced, on motion

of Mr. Clement of Rochester further reading was dispensed with.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 533, An Act to establish a new apportionment for the assessment of public taxes, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

#### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House and Senate bills:

House Bill No. 4, An Act relative to the marking of the line dividing the state for the purpose of the taking of deer.

House Bill No. 307, An Act to increase the salaries of the county commissioners of Hillsborough county.

Senate Bill No. 116, An Act relating to solicitation of funds for charitable purposes.

Senate Bill No. 118, An Act relating to the school district of the town of Rye.

Senate Bill No. 121, An Act relative to salaries of court stenographers.

Senate Bill No. 109, An Act authorizing the creation of regional planning commissions.

(Mr. Hart of Laconia in Chair)

#### **Report of Committee of Conference**

The Committee of Conference, to whom was referred House Bill No. 81, An Act relative to penalties for certain motor vehicle violations, having considered the same, report the same with the following recommendation:

That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its



amendment and that the following amendment be adopted by the Senate and the House:

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Revocation of Licenses.* Amend section 16 of chapter 118 of the Revised Laws (section 19, chapter 262, RSA) by striking out the same and inserting in place thereof the following: 16. *Intoxication.* Any person who shall be convicted of operating, or attempting to operate, a motor vehicle upon any way while under the influence of intoxicating liquor, or any narcotic or habit-producing drug, shall be imprisoned for not more than six months or shall be fined not more than five hundred dollars, or both; his license shall be revoked for a period of sixty days and at the discretion of the court for a period not to exceed two years. Upon a second conviction he may be imprisoned for not less than one month nor more than six months, and fined not less than one hundred dollars nor more than five hundred dollars; his license shall be revoked and he shall be ineligible for a license for the next three calendar years.

2. *Takes Effect.* This act shall take effect upon its passage.

FRANCIS F. FAULKNER,  
CLAYTON F. COLBATH,  
WILLIAM H. CRAIG, JR.,

*Conferees on the Part of the House.*

JAMES C. CLEVELAND,  
ARCHIBALD H. MATTHEWS,

*Conferees on the Part of the Senate.*

On motion of Mr. Faulkner of Keene the report of the Committee of Conference was agreed to.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

Senate Bill No. 109, An Act authorizing the creation of regional planning commissions.

Senate Bill No. 116, An Act relating to the powers and duties of towns.

House Bill No. 307, An Act to increase the salaries of the County Commissioners of Hillsborough County.

The message further announced that the Senate had refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 314, An Act to provide for the installation of windshields and tops on track motor cars operated by railroads.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 380, An Act providing for liens in favor of hospitals.

Amend House Bill 380 by striking out everything after the enacting clause, and substituting in place thereof the following:

1. *Entitled to Lien.* Every individual, partnership, firm, association, corporation, institution or any governmental unit or combination or parts thereof maintaining and operating a hospital licensed in the State of New Hampshire, which shall furnish medical or other service to any patient injured by reason of an accident not covered by the Workmen's Compensation Act, shall, if such injured patient shall assert or maintain a claim against another for damages on account of such injuries, have a lien upon that part going or belonging to such patient, or to the person responsible for the payment of such patient's bills, of any recovery or sum had or collected or to be collected by such patient or by the person responsible for the payment of such patient's bills, or by his heirs or personal representatives in the case of his death, whether by judgment or by settlement or compromise to the amount of the reasonable and necessary charges of such hospital for the treatment, care and maintenance of such patient in such hospital up to the date of payment of such damages. The provisions of this

act shall not be applicable to accidents and injuries within the purview of the Workmen's Compensation Law.

2. *Notice of Lien.* No such lien shall be effective unless a written notice containing the name and address of the injured person, the date of the accident, the name and location of the hospital, and the name of the person or persons, firm or firms, corporation or corporations alleged to be liable to the injured party for the injuries received, shall be filed with the clerk of the town or city in which such hospital is located not later than ten days after the patient has been discharged from the hospital and prior to the payment of any monies to such injured person, his attorneys or legal representatives as compensation for such injuries; nor unless the hospital shall mail, registered mail, return receipt requested, a copy of such notice with a statement of the date of filing thereof to (1) the person or persons, firm or firms, corporation or corporations, alleged to be liable to the injured patient for the injuries sustained prior to the payment of any monies to such injured person, his attorneys or legal representatives, as compensation for such injuries and (2) to any insurance carrier which has insured such person, firm or corporation against such liability. The person or persons, firm or firms, corporation or corporations alleged to be liable to the injured patient shall upon request of the hospital disclose the name of his or its insurance carrier which has insured such person, firm or corporation against such liability.

3. *Duration of Lien.* Any person or persons, firm or firms, corporation or corporations, including an insurance carrier, making any payment to such patient or to his attorneys or heirs or legal representatives, or to any other person as compensation for the injury sustained, after the filing and receipt of such notice without paying to such hospital the amount of its lien or so much thereof as can be satisfied out of the monies due under any final judgment or compromise or settlement agreement after paying the amount of any prior liens, shall for a period of one year from the date of payment to such patient or his heirs, attorneys or legal representatives, or other person, as aforesaid, be and remain liable to such hospital for the amount which such hospital was entitled to receive as aforesaid; and any such association, corporation or other institu-

tion maintaining such hospital may, within such period, enforce its lien by a suit at law against such person or persons, firm or firms, corporation or corporations making any such payment.

4. *Index of Liens.* Every town or city clerk shall, at the expense of the town or city, provide a book or card filing system to be called the hospital lien docket in which, upon the filing of any lien claim under the provisions of this act, he shall enter the name of the injured person, the name of the person, firm or corporation alleged to be liable for the injuries, the date of the accident and the name of the hospital or other institution making the claim. Said clerk shall make a proper index of the same in the name of the injured person and such clerk shall be entitled to be paid a fee of fifty cents by the claimant for such filing.

5. *Takes Effect.* This act shall take effect upon its passage.

Reading of the amendments having commenced, on motion of Mr. Rathbone of Exeter, further reading was dispensed with.

Mrs. Studley of Rochester moved that the House concur in the amendments sent down from the Honorable Senate.

Mr. Healy of Manchester, Ward 6, moved that the motion to concur be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Mr. Healy of Manchester, Ward 6, spoke in favor of the motion.

(Speaker in Chair)

Messrs. Pillsbury of Manchester and Rainie of Concord spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the motion to concur.

Mr. Healy of Manchester, Ward 6, called for a division.

A division being had, 202 members having voted in the affirmative, and 51 members having voted in the negative, the motion to concur in the amendments sent down from the Honorable Senate prevailed.

The bill was sent to the Secretary of State to be engrossed.

### Personal Privilege

Mr. Healy of Manchester, Ward 6, rose on a point of personal privilege.

The message also announced that the Senate had voted to non-concur with the House of Representatives in its amendments to Senate Bill No. 57, An Act relative to the solicitation of bribes, and asks for a Committee of Conference, and the President has appointed as members of such a committee on the part of the Senate, Senators Cleveland and Matthews.

On motion of Mr. Rainie of Concord, the House voted to accede to the request of the Honorable Senate.

The Speaker appointed as members of such committee on the part of the House, Messrs. Rainie of Concord, Hadley of Hillsborough, and Eastman of Weare.

The Speaker declared a five-minute recess.

### After Recess

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

Senate Bill No. 3 (In New Draft), An Act relative to election campaign receipts and expenditures and their publication.

Amend said bill by striking out the first four lines of section 1 and inserting in place thereof the following:

1. *Elections.* Amend chapter 42 of the Revised Laws as amended by chapter 185, Laws of 1945, chapter 205, Laws of 1947, section 2, chapter 230, Laws of 1951 and sections 6 to 10 inclusive, chapter 190, Laws of 1953 (chapter 70 RSA) by striking out said chapter and inserting in place thereof the following:

### Chapter 42

On motion of Mr. Faulkner of Keene the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.



The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 529, An Act making appropriations for the expenses of certain departments of the State for the year ending June 30, 1956.

Amend said bill by striking out after the words "to wit:" all words and figures relative to the legislative branch and inserting in place thereof the following: A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expenses of the legislature, including \$28,950.00 for the office of legislative assistant to the appropriations and finance committees, as provided by sections 33-37, chapter 9 of the Revised Laws, as inserted by chapter 10, Laws of 1953 (sections 30-34, chapter 14, RSA), and \$10,000.00 for the office of legislative budget analyst. (Salary of legislative budget assistant \$8,500.00, other personal services \$18,700.00, current expenses \$850.00, travel \$800.00, equipment \$100.00.) (Salary of legislative budget analyst \$5,500.00, secretary \$3,120.00, other expenditures \$1,380.00.)

	\$275,000.00
Council of state governments	2,500.00
Legislative council*	2,500.00

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Total for legislative branch	\$280,000.00
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Amend said bill by striking out in paragraph For executive branch: Office of governor, the words and figures "Other personal services †19,440.00" and inserting in place thereof the words and figures, Other personal services †20,700.00. Further amend said paragraph by striking out the words and figures "Total \$36,190.00" and inserting in place thereof the words and figures, Total \$37,450.00. Further amend said paragraph by striking out the words and figures "Total for governor's office \$69,490.00" and inserting in place thereof the words and figures, Total for governor's office \$70,750.00. Further amend said paragraph by striking out the words and figures "Total for executive branch \$154,890.00" and inserting in place thereof the words and figures, Total for executive branch \$156,150.00.

Amend the paragraph For judicial branch: For supreme court: by striking out the words and figures "Other personal services 5,180.00" and inserting in place thereof the words and figures, Other personal services, 5,380.00. Further amend said paragraph "For supreme court" by striking out the words and figures,

"Total	\$84,115.00
Less estimated revenue	680.00
Net appropriation	<u>\$83,435.00"</u>
and inserting in place thereof the words and figures,	
Total	\$84,315.00
Less estimated revenue	680.00
Net appropriation	<u>\$83,635.00</u>

Further amend said paragraph "For judicial branch:" by striking out the words and figures "For judicial council \* 3,300.00" and inserting in place thereof the words and figures, For judicial council \* 4,200.00. Further amend said paragraph by striking out the words and figures, "Total judicial branch \$266,350.00" and inserting in place thereof the words and figures, Total judicial branch \$267,450.00.

Amend the bill by striking out the paragraph "For adjutant general's department: Central administrative office:" by striking out the words and figures, "State flags 120.00, by striking out the words and figures "Total \$35,077.56" and inserting in place thereof the words and figures, State flags 180.00; and inserting in place thereof the words and figures, Total \$35,137.56. Amend the paragraph "For adjutant general's department: Armories:" by striking out the words and figures "Current expenses 82,000.00" and inserting in place thereof the words and figures, Current expenses 87,000.00. Further amend said paragraph by striking out the words and figures "Total 149,559.30" and inserting in place thereof the words and figures, Total 153,559.30. Further amend the paragraph "For adjutant general's department" by striking out the words and figures

"Total for adjutant general's department	\$293,692.86
Less estimated revenue	38,850.00
Net appropriation	<u>\$254,842.86"</u>

and inserting in place thereof the words and figures,

Total for adjutant general's department	\$298,752.86
Less estimated revenue	38,850.00

Net appropriation	<u>\$259,902.86</u>
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Amend the bill in the paragraph "For administration and control: Division of budget and control:" by striking out the words and figures, "Salary of budget analyst 5,500.00" and inserting in place thereof, Salary of assistant business supervisor 6,000.00. Change the total as follows: \$75,352.06 changed to \$75,825.06.

Amend the paragraph "For administration and control: Division of Purchase and property: Surplus food distribution:" by striking out said paragraph and inserting in place thereof the following:

Surplus food and commodities distribution:

Salary of director	\$5,000.00
Salary of supervisor of surplus food and commodities	4,558.20
Other personal services	4,940.00
Current expenses	24,235.00
Travel	2,500.00
Other expenditures	
Employees retirement	940.93

Total	<u>\$42,174.13‡</u>
Less estimated revenue and balance	<u>42,174.13‡</u>

Net appropriation	0.00
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‡ Authority is hereby given to utilize so much as may be necessary of the balance accumulated as of June 30, 1955 or any surplus accumulating during the fiscal year 1956 within this subdivision, to efficiently operate this division without the use of any other state funds.

Amend the paragraph For administration and control by striking out the words and figures "Total for administration and control \$465,437.86" and inserting in place thereof, Total for administration and control \$465,937.86.

Amend the paragraph For department of agriculture: Division of markets and standards: by striking out the words and figures "Personal services \$26,661.90" and inserting in place thereof the words and figures, Personal services \$27,261.90. Further amend said paragraph by striking out the words and figures "Total 45,301.40" and inserting in place thereof the words and figures, Total 45,901.40.

Amend the paragraph For department of agriculture: Division of animal industry: by striking out the words and figures "Travel 6,200," and striking out the words and figures "Equipment 4,800" and inserting in place thereof the words and figures, Travel 7,900. Further amend said paragraph by striking out the words and figures "Total 174,984.43" and inserting in place thereof the words and figures, Total 171,884.43.

Amend the paragraph For department of agriculture: Insect and plant disease control: by striking out the words and figures "Personal services \$24,240.00," by striking out "Travel 5,000.00," by striking out "Total 30,780.00," and inserting in place thereof the words and figures, Personal services 23,240.00, Travel 5,800.00, Total 30,580.00.

Amend the paragraph For department of agriculture: Milk control: by striking out the same and inserting in place thereof the following:

Personal services	\$11,318.17
Current expenses	2,680.00
Travel	1,600.00
Equipment	1,287.50
Total	<u>\$16,885.67</u>
Less estimated revenue	<u>16,885.67</u>

Net appropriation	0.00
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Amend the paragraph For department of agriculture by striking out the words and figures, "Total for department of agriculture \$331,289.90" and inserting in place thereof the words and figures, Total for department of agriculture \$328,589.90.

Amend the paragraph for the attorney general by striking out the words and figures "Current expenses 3,000" and inserting in place thereof the words and figures, Current expenses

3,500.00. Change the totals as follows: \$77,820.23 changed to \$78,320.23; \$86,550.23 changed to \$87,050.23; \$83,550.23 changed to \$84,050.23.

Amend the paragraph For forestry division (forestry and recreation): District fire supervision by striking out the words and figures "Less estimated revenue and balance 63,173.00" and inserting in place thereof, Less estimated revenue and balance \*\*\*63,173.00. Amend the paragraph For forestry division (forestry and recreation): Nursery: by striking out the words and figures "Less estimated revenue and balance 11,116.75" and inserting in place thereof, Less estimated revenue and balance \*\*\* 11,116.75. Further amend said paragraph For forestry division (forestry and recreation): by adding at the end thereof the following footnote: \*\*\*If the federal grant exceeds the above estimate, such excess may be expended with the approval of the governor and council for said purposes.

Amend the bill in the paragraph For Department of Health: Administration: State, by striking out the words and figures, "Other personal services 23,363.90" and inserting in place thereof, "Other personal services 23,963.90.\*\*

Further amend said paragraph by striking out the words and figures "Current Expenses 16,000" and inserting in place thereof, Current Expenses 17,500.00

Change total and net appropriation as follows: \$49,893.90 changed to \$51,993.90, \$46,083.90 changed to \$48,183.90.

\*\* Of this amount, \$900.00 shall be for the part-time services of a Clerk I for the Cancer Commission.

Amend the bill in the appropriation For Department of Health, Hospital Services, State, by striking out and inserting in place thereof the following:

Hospital Services, State.

Personal Services	19,489.80	
Current Expenses	500.00	
Travel	2,600.00	
Total	\$22,589.80	
Less Estimated Revenue	2,000.00	
Net Appropriation		\$20,589.80



Amend the bill in the paragraph For department of health, Hospital services, federal; by striking out said paragraph and inserting in place thereof the following,

Hospital services; federal

Current expenses	\$340.00
Travel	1,000.00

*Total	\$1,340.00
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*Less estimated revenue	1,340.00
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Net appropriation	0.00
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Amend the paragraph For department of health: Maternal and child health and crippled children's services: state by striking out the words and figures "Convalescent care and clinics 60,000.00" and inserting in place thereof the words and figures, Convalescent care and clinics 45,000.00. Change the total as follows: 116,499.00 changed to 101,499.00.

Amend the bill in the paragraph For department of health: Maternal and child health and crippled children's services; federal, and insert in place thereof the following:

Maternal and child health and crippled children's services:  
federal

Personal Services	\$17,437.50
Current expenses	56,317.50
Travel	2,000.00

Other expenditures:

convalescent care and clinics	40,000.00‡
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Total	\$115,755.00
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*Less estimated revenue	115,755.00
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Net appropriation	0.00
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\* Any revenue received in excess of the estimate shall be available for further expenditure, subject to the following note.

‡ This item may only be expended provided the total received from federal funds for this division shall exceed \$75,755 and said excess is available for crippled children's services. In no event shall the expenditures under convalescent care and clinics exceed the sum of \$40,000.00.

Further amend said bill by striking out the footnote at the end of the appropriation for the department of health.

Amend the paragraph for department of health: Commission on alcoholism: by striking out the same and inserting in place thereof the following:

Commission on alcoholism:

Personal services	\$32,759.20
Current expenses	45,000.00
Travel	1,500.00
Equipment	700.00
Other expenditures:	
Medical and other expenses	2,000.00

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Total	\$81,959.20
Less estimated revenue	4,800.00

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Net appropriation 77,159.20

Amend the appropriation for department of health by striking out the figures "722,178.55" for Total for department of health: State: and inserting in place thereof the figures, \$715,421.05.

Amend the bill by striking out footnote at the end of the appropriations for the department of health and inserting in place thereof the following:

\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes, except as hereinabove provided.

Amend the bill in the paragraph for department of labor: Office of commissioner: by striking out said paragraph and inserting in place thereof the following:

Office of commissioner:

Salary of commissioner	\$6,589.37
Other personal services	7,910.00
Current expenses	6,000.00
Travel	700.00

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Total \$21,199.37

Amend the paragraph for department of labor: Inspections division: by striking out the same and inserting in place thereof the following:

Inspections division:

Personal services	\$29,251.83
Current expenses	2,600.00
Travel	7,100.00
Equipment	180.00

Total	39,131.83
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Amend the appropriation for department of labor by striking out the words and figures "Total for department of labor \$84,176.20" and inserting in place thereof, Total for department of labor \$85,916.20.

Amend the bill in the appropriation for public welfare: Medical Pools: Old age assistance: by striking out the words and figures "State's share 354,120.00" and inserting in place thereof the following: State's share 419,811.60.

Amend the bill in the appropriation for public welfare: Medical pools: Aid to needy blind: by striking out the words and figures, "State's share 23,615.28" and inserting in place thereof the words and figures, State's share 33,366.24.

Amend the bill in the appropriation for public welfare: Medical pools: Aid to permanently and totally disabled: by striking out the words and figures "State's share 15,984.00" and inserting in place thereof the words and figures, State's share 32,103.00.

Amend the bill in the appropriation for public welfare by striking out the words and figures "Total for public welfare \$2,823,925.60" and inserting in place thereof the words and figures, Total for public welfare \$2,915,487.16.

Further amend by striking out the words and figures "Net appropriation \$2,519,667.68" and inserting in place thereof, Net appropriation \$2,611,229.24.

Amend the bill in the appropriation for state Police: by striking out the paragraph and inserting in place thereof the following:

For state police:

Salary of superintendent	\$8,175.00
Other personal services	351,666.24

Current expenses	30,600.00	
Travel	86,500.00	
Equipment	50,000.00	
Other expenditures:		
Retirement	19,000.00	
		<hr/>
Total for state police	\$545,941.24	
Less transfer from		
highway fund	464,050.05	
		<hr/>
Net appropriation		<u>\$81,891.19</u>

Amend the bill in the appropriation for state treasury by inserting after the word and figure "Equipment 4,500.00" the following:

\*Other expenditures:—audit 5,000.00. Change the total as follows: \$84,030.50 changed to \$89,030.50.

\* The legislative budget assistant shall designate a certified public accountant, not employed in state service, to make the annual audit of the state treasury and said legislative budget assistant may accept the findings and report of said certified public accountant as fulfilling the provisions of section 12-a, chapter 23-A of the Revised Laws, (paragraph II, section 31, chapter 14 RSA) whereby the said legislative budget assistant is required to audit the accounts of the state treasurer.

Further amend the appropriation for state treasury by inserting Bounties 5,000.00. Change the total for state treasury as follows: \$151,225.77 changed to \$161,225.77.  
Industrial School

Amend the bill in the appropriation for Industrial School: Agriculture: by striking out the same and inserting in place thereof the following:

Agriculture:

Personal services	\$10,919.40
Current expenses	15,682.50
Equipment	589.00
	<hr/>
Total	\$27,190.90
Less credit	
transfer	\$19,275.00

Less estimated revenue	8,025.00	27,300.00
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Net reduction		—109.10
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Change total, and, net appropriation, as follows: \$327,366.25 changed to \$327,690.25. \$317,866.25 changed to \$318,190.25.

Amend the bill in the appropriation for Laconia State School, Custodial care, by striking out the same and inserting in place thereof the following:

Custodial Care:

Personal services	\$110,394.86
Current expenses	†210,914.00
Travel	25.00
Equipment	6,000.00**
Total	\$327,333.86

† In this appropriation \$74,000 shall be for products used from the institution's farm and no part of said sum shall be transferred to any other appropriation or expended for any other purpose. In this total appropriation for current expenses the sum of \$10,000 shall not be expended unless suitable surplus foods are not available.

\*\* In this appropriation \$4,000.00 shall be for purchases of mattresses and no part of this amount shall be expended for any other purpose.

Change the total, and net appropriation, as follows: \$811,959.98 changed to \$839,390.26; \$788,459.98 changed to \$814,999.62.

Amend the bill in the appropriation for prison industries by striking out the words and figures "Personal services \$67,119.31" and inserting in place thereof the words and figures, Personal services \$69,469.45. Further amend by changing the total, and, estimated revenue, as follows: \$214,254.31 changed to \$216,604.45.

Amend the bill in the appropriation for state prison, Agriculture; by striking out the paragraph and inserting in place thereof the following:

Agriculture:

Personal services	\$11,437.88
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Current expenses	22,185.00	
Equipment	510.00	
Other expenditures:		
Slaughtering, cutting and		
curing meat	1,000.00	
Bunker silo	500.00	
Refrigeration fees	75.00	
Total	\$35,707.88	
Less transfer		
credit	\$19,250.00	
Less revenue	20,000.00	39,250.00
Net reduction		—3,542.12

Amend the bill in the appropriation for the University of New Hampshire by inserting in the footnote pertaining thereto, the following: In the fourth line insert after the word "sum," the words, not in excess of \$50,000.00, so that said footnote as amended shall read as follows:

\* It is estimated that the income received by the university from tuition charges will be \$1,072,000.00 for the year. In case this amount of income from this source is not received the state's appropriation for the university will be increased by such sum, not in excess of \$50,000.00, as represents the difference between \$1,072.00 and the amount actually received from tuition charges. Such provisions of section 22 of chapter 222, Revised Laws (section 28, chapter 187, RSA) as may be inconsistent with the provisions of this note are hereby suspended for the fiscal year ending June 30, 1957. The provisions of section 18, chapter 222, Revised Laws (section 24, chapter 187, RSA) are suspended for the fiscal year ending June 30, 1957.

Amend the bill in the appropriation for board of education by striking out the paragraph for "Foundation aid" and inserting in place thereof the following:

Foundation aid:

State aid to school districts	1,200,000.00	
Transportation, board, tuition	6,000.00	
Total		1,206,000.00

Amend the bill in the appropriation for board of education, Vocational rehabilitation: federal, by inserting after the words and figures "Retirement 1,200.00," Disability determinations 15,000.00. Change the total, and estimated revenue as follows: \$58,273.00\* changed to \$73,273.00.\*

Amend the bill in the appropriation for board of education by inserting after the paragraph for Education of the Deaf, the following new paragraph:

Area Vocational schools:

Personal services	\$2,490.00
Current expenses	300.00
Travel	200.00
Other expenditures:	
Reimbursements to school districts	47,010.00

Total	<hr/> 50,000.00
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Change the Total for board of education, and Net appropriation as follows: \$3,018,618.99 changed to \$3,068,618.99. \$2,153,294.63 changed to \$2,203,294.63.

Amend the bill in the paragraph for board of education by striking out the footnote to "income" and inserting in place thereof the following new footnote:

In addition to the above appropriation said department shall receive for disbursement any excess over estimates in the income of the teachers' colleges, from dormitories, tuition, practice schools and extension courses, and revenue from tuitions received by the Manchester and Portsmouth technical institutes. No nursery school program shall be allowed at either Keene or Plymouth teachers' colleges, and no funds out of this appropriation or any other available funds shall be used for this purpose.

Amend the bill in the appropriation for board of education by striking out the third footnote at the end of said appropriation and inserting in place thereof the following:

In addition to the above appropriation, said department shall receive for disbursement sums paid by school districts for the additional salaries of superintendents under the provisions of section 44, chapter 135, Revised Laws (section 44,

chapter 189, RSA). The appropriation to cover the state's share for personal services for state-wide supervision is at the same rates of compensation as for the fiscal year 1954-1955. All helping teacher positions hereinafter established shall be only after a majority vote in a majority of the school districts in the supervisory union requesting the establishment of the position of helping teacher at their respective annual school district meetings.

Amend the bill in the Appropriation For Board of Probation by striking out the same and inserting in place thereof the following:

For Board of Probation:

Salary of Director	\$6,115.00
Other personal services	108,935.18
Current expenses	8,967.00
Travel	11,750.00
Equipment	500.00

Total	<u>\$136,267.18</u>
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Amend the bill in the appropriation for water resources board by striking out the words and figures "Other personal services 25,454.40" and inserting in place thereof the words and figures, Other personal services 25,529.40. Further amend by striking out the words and figures "Travel 2,075.00" and inserting in place thereof the words and figures, Travel 2,325.00. Change the total as follows: \$47,756.05 changed to \$48,081.05. Further amend by striking out the words and figures "Total for water resources board \$61,681.05" and inserting in place thereof the words and figures, Total for water resources board \$62,006.05.

Further amend by striking out "Less transfer from Pittsburgh project \* 5,000.00

Further amend the appropriation For water resources board, by striking out all after, Total for water resources board \$61,681.05 and inserting in place thereof

Less transfer from highway	\$4,500.00	
Less transfer from Pittsburg project*	4,000.00	
		<u>8,500.00</u>
Net appropriation		<u><u>\$53,506.05</u></u>

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\* Transferred by vote of the directors.

Amend the bill in the appropriation for aeronautics commission by striking out the paragraph and inserting in place thereof the following:

For aeronautics commission:

Salary of director	\$6,720.00	
Other personal services	11,612.90	
Current expenses	2,600.00	
Travel	1,500.00	
Equipment	1,400.00	
		<u></u>
Total		\$23,832.90
Less estimated revenue		2,500.00
		<u></u>
Net appropriation		\$21,332.90
Airways toll fund*	\$7,500.00	
Less transfers and balance	7,500.00	
		<u></u>
Net appropriation		0.00
		<u></u>
Total for aeronautics commission		<u><u>\$21,332.90</u></u>

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\* Expenditures shall not exceed existing balances plus revenue.

Amend the appropriation for the bank commissioner by striking out the same and inserting in place thereof the following:

For bank commissioner:

Salary of commissioner	\$8,415.00
Salary of deputies (two)	12,573.00
Other personal services	57,733.03

Current expenses	5,612.00	
Travel	9,700.00	
Equipment	2,500.00	
Other expenditures:		
Retirement	4,780.92	
		<hr/>
Total for bank commissioner	\$101,313.95	
*Less revenue	80,325.95	
		<hr/>
Net appropriation		20,988.00

\* The bank commissioner shall collect from the institutions the condition and management of which he is required to examine under the provisions of section 8 of chapter 307 of the Revised Laws, (section 9, chapter 383 RSA) as the cost of such examination, the sum of \$80,325.95 for fiscal year ending June 30, 1956, and each such institution shall pay to the state within thirty days after receipt by it of notice of assessment such proportion of the said stated sum so collectible as its assets bear to the total assets of all such institutions as shown by their reports to the bank commissioner as of the thirtieth day of June preceding such payments; provided, however, the sum to be paid by each such institution shall not be less than the following:

Savings bank or trust company	\$50
Building and loan association	\$25
Credit Union	\$15
Small loan licensee	\$10
Miscellaneous institution	\$25

and any amount collected under the provisions of this minimum assessment in excess of the stated assessment together with said stated assessment amounts shall be credited to the appropriation for the bank commissioner.

Amend the bill in the paragraph for liquor commission, Stores operation, by striking out said paragraph and inserting in place thereof the following:

Stores operation:

Personal services	\$604,503.69
Current expenses	200,500.00
Travel	8,500.00
Equipment	10,500.00



Other expenditures —  
retirement

34,455.27

Total

858,458.96

Change total for liquor commission, and revenue as follows: \$1,201,328.64 changed to \$1,219,798.81.

Amend the bill in the appropriation for planning and development commission, by striking out the figure "99,109.95†" and inserting 99,109.95. Further amend by striking out the figure "90,000.00†" and inserting 90,000.00. Further amend said appropriation by striking out the footnote at the end thereof.

Amend the bill in the appropriation for racing commission by striking out the words and figures "Other personal services 30,147.60" and inserting in place thereof the words and figures, Other personal services 35,747.60.\* Change the total for racing commission, and revenue as follows: \$41,927.60 changed to \$47,527.60.

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\* Such portion of this amount as constitutes the compensation of the official steward or associate judge of the state racing commission, shall be reimbursed to the state by the person, association, or corporation conducting the race or meet.

Amend the bill in the appropriation For State Tax Commission: Administration Office of Commission: by striking out the words and figures "Other personal services 46,982.73" and inserting in place thereof, "Other Personal Services 36,982.73. \$94,633.73 changed to 84,633.73.

Amend the bill in the appropriation for state tax commission, Municipal account: by striking out the words and figures "Less estimated revenue 15,000.00" and inserting in place thereof the words and figures, Less estimated revenue 24,000.00. Change net appropriation as follows: 33,295.57 changed to 24,295.57.

Change total for Tax Commission as follows: \$199,636.80 changed to 180,646.80.

Amend the bill in the appropriation for teachers' retirement system by striking out the words and figures "Current expenses 1,560.00" and inserting in place thereof, Current expenses 1,760.00. Further amend by striking out the words and

figures "Travel 700.00" and inserting in place thereof, Travel 775.00. Change the total for teachers' retirement system as follows: \$280,214.00 changed to \$280,489.00.

Amend the bill in the appropriation for fish and game department, Conservation: by striking out the paragraph and inserting in place thereof the following:

Conservation:

Personal services	\$158,762.44
Current expenses	18,000.00
Travel	71,000.00
Equipment	6,500.00

Total	254,262.44
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Further amend the appropriation for fish and game department by changing the total for fish and game department and the estimated revenue and balance as follows: \$1,059,502.26 changed to \$1,034,502.26.

Amend the bill in the appropriation for motor vehicle department, Inspectional services by striking out the words and figures "Travel 18,000.00" and inserting, Travel 22,200.00. Change total as follows: 93,814.04 changed to 98,014.04. Change total for motor vehicle department, and revenue as follows: \$502,539.29 changed to \$506,739.29.

Total net appropriation:

Amend the bill by striking out the words and figures "Total net appropriation \$16,958,021.24 and inserting in place thereof, Total net appropriation \$17,135,954.94.

Further amend the bill by inserting after section 4 the following new section:

5, *Business Supervisor*. Amend section 21 of chapter 23-A of the Revised Laws, as inserted by section 1, part 6, chapter 5, Laws of 1950 (section 36, chapter 8, RSA) by adding at the end thereof the following: (4) advise with the respective executive heads, boards, and commissions of the various state departments in relation to establishment, supervision and maintenance of uniform and efficient business records, business practices and business management, and to perform such other duties of assisting the state departments as the comptroller may require of him. (5) Subject to the approval

of the comptroller the business supervisor may appoint an assistant business supervisor who shall receive such salary as may be provided by appropriation therefor.

6. *Legislative Budget Analyst.* Amend chapter 9 of the Revised Laws (chapter 14, RSA) by inserting after section 25 the following new subdivision:

**Legislative Budget Analyst.**

25-a. *Appointment.* The appropriation committee of the house of representatives and the finance committee of the state senate, acting as a special committee shall appoint a legislative budget analyst whose name shall be filed with the secretary of state. Said budget analyst shall receive such compensation as may be determined by the legislature and shall be reimbursed for actual expenses when engaged in the duties of his office.

25-b. *Duties and Assistants.* The legislative budget analyst shall act as assistant to the appropriations committee of the house of representatives and the finance committee of the state senate during the sessions of the legislature and in the interim shall make research into the various operations of state departments, institutions, commissions, boards, and other agencies of state government as directed by the special committee. He shall report his findings and recommendations to said special committee on or before the first Tuesday of February of each regular session of the legislature. Said budget analyst shall attend all hearings on state budgets as provided in section 7, chapter 23, of the Revised Laws. Said budget analyst may employ such non-classified clerical assistance as he may require within the limits of the appropriation made therefor. Sections 2 and 3 of the act making appropriations for the year ending June 30, 1956, shall in no way effect the personnel of the office of legislative budget analyst.

25-c. *Information and Office Space.* All state departments, institutions, boards, commissions and other agencies of state government shall provide such information as may be requested by said budget analyst and shall file copies of all reports with said analyst. Said budget analyst shall be provided with copies of such accounting records as in his discretion may be necessary for the efficient discharge of his duties.

Office space shall be made available within legislative quarters and such legislative equipment as is required shall be available for his use. Supplies and equipment which have been assigned to the deputy legislative assistant are hereby transferred to said budget analyst.

25-d. *Dismissal and Filling Vacancy.* The legislative budget analyst may be dismissed at any time for good cause shown in a complaint brought by the said special committee after a full hearing by said special committee and by a majority vote thereof. When the position of legislative budget analyst shall become vacant for any reason, the chairman of the house appropriations committee shall call a joint meeting of the house appropriations committee and the senate finance committee not more than one month after the vacancy occurs for the purpose of filling said vacancy.

7. *Budget Assistant.* Amend sections 34, 37 and 38 of chapter 9 of the Revised Laws, as inserted by chapter 10, Laws of 1953 (sections 31, 34 and 35, chapter 14, RSA) by striking out said sections and inserting in place thereof the following:

34. *Duties.* The legislative budget assistant shall post-audit all state revenue receipts and expenditures and audit the accounts of the state treasurer. The latter audit shall include, but shall in no way be limited to, a post-audit of expenditures under the capital budget. He shall make such reports and statements to the appropriations and finance committees relative to such audits and post-audits as may be necessary to keep said committees informed as to the results of said audits and post-audits and the financial condition of the state treasury.

37. *Assistants.* The legislative budget assistant with the approval of the special committee may appoint such auditors and assistants as he may require within the limits of the appropriation made for his department on recommendation of the special committee. Such auditors and assistants shall be exempt from the provisions of the personnel law.

38. *Vacancies.* When the position of the legislative budget assistant becomes vacant the chairman of the house appropriations committee shall call a joint meeting of the house appropriations committee and the senate finance committee not more than one month after the vacancy occurs for the purpose of filling such vacancy.

Further amend said bill by renumbering section 5 to read section 8.

Reading of the amendment having commenced, on motion of Mr. Scamman of Stratham further reading was dispensed with.

Mr. Scamman of Stratham moved that the House non-concur in the amendment sent down from the Honorable Senate and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Messrs. Scamman of Stratham, Pillsbury of Manchester, Sheridan of Berlin, Rowell of Newport and Davis of Hopkinton.

The message also announced that the Senate had passed a bill with the following title, and a joint resolution with the following caption, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 124, An Act relative to safety regulations for commercial establishments and to workmen's compensation agreements.

Senate Joint Resolution No. 6, Joint Resolution relative to supplemental appropriation for the education of the deaf.

#### **Senate Bill and Joint Resolution Referred**

Senate Bill No. 124, An Act relative to safety regulations for commercial establishments and to workmen's compensation agreements.

Read a first and second time and referred to the Committee on Labor.

Senate Joint Resolution No. 6, Joint Resolution relative to supplemental appropriation for the education of the deaf.

Read a first and second time and referred to the Committee on Appropriations.

#### **Resolutions**

Mr. Crandall of Dover offered the following resolution:

*Whereas*, Raymond H. Chase, Representative from Dover, has been appointed Postmaster of the City of Dover, and

*Whereas*, he has been a member of the House of Representatives for several sessions and is presently Chairman of the House Committee on Military and Veterans' Affairs, and



*Whereas*, his work as a legislator has been outstanding, and his knowledge and ability have made him a valuable and popular member, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the New Hampshire General Court, congratulate our fellow member on his appointment, pay tribute to his city and state and extend our best wishes for success in his new position, and be it further

*Resolved*, that the Clerk of the House transmit a copy of these resolutions to Representative Chase.

On a *viva voce* vote the resolution was adopted.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Bill No. 94, An Act relative to the taking of oysters, lobsters, crabs and clams.

House Bill No. 533, An Act to establish a new apportionment for the assessment of public taxes.

House Bill No. 538, An Act relating to the Union School District of Keene.

House Bill No. 543, An Act relative to compensation of legislative employees.

Severally read a third time and passed and sent to the Senate for concurrence.

### Notice of County Delegation Meeting

The following notice of a Special Meeting of the Cheshire County Delegation was read by the Speaker.

Room 308, State House, July 21, 10:00 A. M.

Meeting for the purpose of (1) ratifying the proceedings of the county convention at its special meeting held February 14, 1955; (2) to hear the report of the special building committee and (3) to take up such other business as may come before the meeting.

FRANCIS F. FAULKNER,

*Chairman, Cheshire County Delegation.*

On motion of Mrs. Sadler of Portsmouth at 12:46 o'clock the House adjourned.

THURSDAY, JULY 21, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Almighty God, by Whose grace we are enabled to fight the good fight of faith; we humbly beseech Thee to strengthen us by Thy mighty power for the duties of this day. Inspire us with Thy Holy Spirit that we may think wisely, speak rightly, resolve bravely, act kindly and live as Thou would have us live. Bless us in body and soul, and make us a blessing to others. May our chief aim always be to do Thy bidding, knowing that in doing that, we shall be doing our duty to our fellow men — thoughtful of those less happy than we are, and eager and ready to share the burden of those less able to stand erect under life's heavy load. We ask this in the name of Jesus Christ, our Teacher and Leader. Amen.

### Salute to the Flag

Mr. Ingham of Winchester led the convention in the salute to the flag.

### MEMORIAL SERVICES

SOLO — MRS. HELEN C. FUNKHOUSER

ROLL CALL OF DEPARTED MEMBERS

#### In Memoriam

Name	Residence	Date of Death
Ralph A. Blake	Swanzey	November 24, 1954
Elected but not sworn in		
Thurston A. Smart	Portsmouth	January 13, 1955
Elected but not sworn in		
Joseph Alfred Marcotte	Claremont	April 19, 1955
Joseph L. Boutin	Belmont	May 12, 1955
Edith P. Atkins	Hanover	May 14, 1955
Edward C. Sweeney, Sr.	Keene	May 30, 1955

#### Attache

John S. Ball	Hopkinton	January 22, 1955
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**Scripture Lesson — St. John 14:1-3**

Let not your heart be troubled; ye believe in God, believe also in me. In my Father's house are many mansions; if it were not so, I would have told you. I go to prepare a place for you. And if I go and prepare a place for you I will come again and receive you unto myself; that where I am there ye may be also.

**Prayer**

O merciful God and Heavenly Father, Who hast taught us in Thy Holy Word that Thou dost not willingly afflict or grieve the children of men, look with pity upon the sorrows of Thy servants, the relatives of these departed members of this General Court. Remember them, O Lord, in mercy; imbue their souls with patience; comfort them with a sense of Thy goodness; lift up Thy countenance upon them and give them peace.

We are grateful, our Heavenly Father, that it has been our privilege to have been associated and labored with these departed members. Give them eternal rest and peace in Thy Heavenly Kingdom, and help us to ever remember that the best tribute we can pay them is the emulation of their devotion to the cause of democracy.

And we further ask, O Lord, that Thou wilt support us all the day long of this troublous life, until the shadows lengthen and the evening comes, and the busy world is hushed, and the fever of life is over, and our work is done. Then of Thy great mercy grant us a safe lodging, and a holy rest, and peace at the last. Through Jesus Christ our Lord. Amen.

**Benediction**

May the souls of the faithful departed, through the mercy of God, rest in peace, and may light perpetual shine upon them.

The Lord bless you and keep you; the Lord make His Face to shine upon you and be gracious unto you; the Lord lift up His countenance upon you and give you peace, both now and evermore. Amen.

SOLO — MRS. HELEN C. FUNKHOUSER

The convention rose for one minute of silent meditation.

## House

### Leaves of Absence

Mesdames Miner of Meredith and Herrick of Deering were granted leave of absence for the day on account of important business.

The Speaker introduced Mr. John Holden of Newington, who addressed the House briefly on the subject of the Newington Air Force Base.

### Committee Reports

Mr. Angus of Claremont, for the Joint Committee on Labor and Appropriations, to whom was referred House Bill No. 536, An Act modifying the employees' retirement system of the state of New Hampshire and correlating its benefits with federal old-age and survivors' insurance benefits, having considered the same, reported the same with the following amendment, and recommended that the bill as amended ought to pass.

Amend section 3 of Part II of said bill by striking out the words "with respect to its regularly employed office personnel" so that said section as amended shall read as follows:

3. *Political Subdivisions.* Amend paragraph VI of section 2 of chapter 234 of the Laws of 1951 (paragraph VI, section 2, chapter 101, RSA) by adding at the end thereof the following words, said term also includes a supervisory union; so that said paragraph as amended shall read as follows: VI. The term "political subdivision" includes an instrumentality of a state, of one or more of its political subdivisions, or of a state and one or more of its political subdivisions, but only if such instrumentality is a juristic entity which is legally separate and distinct from the state or subdivision and only if its employees are not by virtue of their relation to such juristic entity employees of the state or subdivision. Said term also includes a supervisory union;

Amend section 2 of Part III of said bill by striking out "July 1" and inserting in place thereof, June 30, so that said section as amended shall read as follows:

2. *Modification Authorized.* Whenever following the referendum with respect to the employees of the state author-

ized in paragraph I of section 13 of chapter 234 as inserted hereinbefore, it shall appear that said employees have voted in favor of including service in positions covered by the employees' retirement system under an agreement under said chapter 234, and it shall further appear that the governor has filed with the Secretary of Health, Education and Welfare with respect to said referendum the certificate required by paragraph II of said section 13, the state agency shall forthwith request the Secretary of Health, Education and Welfare to effect a modification of the agreement between the state and the Secretary of Health, Education and Welfare made under the provisions of said chapter so as to include under said agreement service which under said chapter constitutes employment performed in the employ of the state. Such modification shall be entered into as of June 30, 1956, and shall be effective with respect to service performed after December 31, 1954.

Amend paragraph II of section 3 of Part III of said bill by striking out "July 1" where it occurs in the nineteenth and twenty-second lines and inserting in place thereof, June 30. Further amend said paragraph by striking out the figure "3111" in the tenth line and inserting in place thereof the figure, 3101, so that said paragraph as amended shall read as follows:

II. If following the referendum with respect to the employees of the state authorized in paragraph I of section 13 of chapter 234 as inserted hereinbefore, it shall appear that said employees have voted in favor of including service in positions covered by the employees' retirement system under an agreement under said chapter 234, the governor is hereby authorized to issue an executive order directing that there shall be made a special deduction from the compensation of each employee, in consideration of his retention in or entry upon employment after the issuance of such order, in an amount which shall equal to the tax which would be imposed by section 3101 of the Federal Insurance Contributions Act with respect to services performed by him in the employ of the state after December 31, 1954 and prior to July 1, 1956, if such services of such employee with respect to such period constituted employment within the meaning of said act. Such special deductions shall be made in installments with respect to the several payrolls between the date of said executive order



and July 1, 1956, and the amount deducted shall be held to the credit of each employee. Any such employee who shall leave the employ of the state prior to June 30, 1956, shall have returned to him the entire amount of such special deduction, without interest. The amount thus deducted with respect to employees who shall be in the service of the state on June 30, 1956, shall be paid into the contribution fund, and shall thereafter be paid out by the state agency in accordance with said chapter 234 with respect to service performed by each such employee after December 31, 1954, and prior to July 1, 1956.

Amend section 6 of Part III of said bill by striking out "July 1" in the next to the last line and inserting in place thereof, June 30, so that said section as amended shall read as follows:

6. *Coverage in Political Subdivisions.* Whenever following a referendum with respect to the employees of a political subdivision authorized by the governor under the provisions of paragraph III of section 13 of chapter 234 as hereinbefore inserted, it shall appear that said employees have voted in favor of including service in positions covered by the employees' retirement system with respect to said political subdivision under an agreement under said chapter 234, and it shall further appear that the governor has filed with the Secretary of Health, Education and Welfare with respect to said referendum the certificate required by paragraph II of said section 13, it shall be deemed that said political subdivision has submitted for approval by the state agency a plan for extending the benefits of title II of the Social Security Act in conformity with applicable provisions of such act to the employees of such political subdivision, and has otherwise adopted the provisions of chapter 234 for the purposes of section 7 of said chapter. Notwithstanding any other provisions of this act, such plan shall be in the form of the plans now in effect with respect to the several political subdivisions which have elected to extend such benefits to their employees, and shall contain like provisions, except that service of an emergency nature and service performed by a student as provided in section 218(c) (5) of the Social Security Act shall not be covered by the plan; and the state agency shall forthwith request the Secretary of Health, Education and Welfare to effect a modification of the agreement between the state and the

Secretary of Health, Education and Welfare made under the provisions of said chapter so as to include under said agreement service which under said chapter constitutes employment performed in the employ of said political subdivision. Such modification shall be entered into as of June 30, 1956, and shall be effective with respect to service performed after December 31, 1954.

Amend paragraph II of section 7 of Part III of said bill by striking out the figure "3111" in the sixth line and inserting in place thereof, 3101; and by striking out "July 1" where it occurs in the twelfth, the sixteenth and the eighteenth lines so that said paragraph as amended shall read as follows:

II. Any such political subdivision is authorized to collect, whether by payroll deduction or otherwise, from each employee with respect to whose service a contribution has been made or may reasonably expected to be made as required in paragraph I hereof an amount equal to the tax which would be imposed by section 3101 of Federal Insurance Contributions Act with respect to service performed by him after December 31, 1954, and prior to July 1, 1956, if such service of such employee with respect to such period constituted employment within the meaning of said act. Provided, however, that such sum may be collected only if the employee is in the employ of the political subdivision on June 30, 1956, and provided further that if said sum or any part thereof shall be collected prior to July 1, 1956, the sum so collected shall be returned to the employee, without interest, if the employee shall leave the employ of the political subdivision prior to June 30, 1956. The failure of the political subdivision to collect such sum with respect to each employee in its employ on June 30, 1956, shall not relieve said subdivision of its obligation to pay into the contribution fund the entire amount certified under paragraph I hereof.

Amend paragraph III of section 16 of Part IV of said bill by striking out the words "or has signified an intention to do so on or about July 1, 1956" so that said paragraph as amended shall read as follows:

III. The state agency established in paragraph IV of section 2 of said chapter 234, acting pursuant to section 2 of Part III of this act, has requested the Secretary of Health, Education and Welfare to effect a modification of the agreement be-

tween the state and the Secretary of Health, Education and Welfare made under the provisions of said chapter 234 so as to include under said agreement service which under said chapter constitutes employment performed in the employ of the state, such modification to be effective with respect to service performed after December 31, 1954; and the Secretary of Health, Education and Welfare has granted said request. If said conditions shall, in his opinion, be met, the attorney general shall on or about July 1, 1956, file his certificate to that effect in the office of the secretary of state; and this part shall thereupon take effect and be deemed to be effective as of said July 1, 1956, and thereafter.

Amend section 7 of Part IV of said bill by inserting at the end of the table for contributions by employees the following words:

As used in the foregoing table, the words "age when contributions begin" shall mean the age of the member when he last became a member of the system.

Amend Part IV of said bill by inserting at the end thereof the following new section:

17. *Subdivisions.* Amend chapter 201 of the Laws of 1945 (c. 100, RSA) by inserting after section 9 thereof the following new sections: 10. *Revocation of Election.* Notwithstanding any provision of law to the contrary, the governing body of any county, city, town, school district or other political subdivision which has heretofore elected to have its officers and employees become eligible to participate in the state employees' retirement system, may, by resolution legally adopted, revoke such election with respect to officers and employees who shall enter the service of such political subdivision on or after July 1, 1956, and with respect to officers and employees in the service of such subdivision on June 30, 1956 who are inactive members of the state employees' retirement system. As used herein, the phrase "inactive members of the state employees' retirement system" shall mean and refer to persons in the employ of an employer with respect to whom there have not been made the deductions and contributions to the state employees' retirement system directed by this chapter. The phrase shall also include persons who have elected not to become members of said system under an option allowed by law. Such election shall

not affect the rights and obligations of the active members or beneficiaries of the employer, nor of the employer with respect to such active members and beneficiaries, except as hereinafter set forth.

11. *Notice to Trustees.* The clerk of the subdivision shall forthwith upon the adoption of such resolution notify the trustees thereof, and shall furnish such other information with respect to the employees of the subdivision as the trustees shall request.

12. *Contributions.* Upon the receipt of such notification, and from time to time thereafter, the trustees shall determine the contributions thence forth to be made by the employer with respect to its active members and beneficiaries. The contributions of each employer shall be determined on the basis such that its own past and future contributions shall provide the reserve heretofore established and to be established in the future for the state annuities of its employees. The trustees shall notify the employer of such determination, and the employer shall thereafter contribute to the state employees' retirement system in accordance therewith.

Reading of the amendment having commenced, on motion of Mr. Angus of Claremont, further reading was dispensed with.

The report was accepted.

The question being on the amendment.

Mr. Angus of Claremont spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

Mr. Vaughan of Newport, for the Committee on Education, to whom was referred Senate Bill No. 41, An Act to provide assistance for education in the academies, seminaries of learning, colleges and other educational institutions of this state, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The undersigned, a Minority of the Committee on Education, to whom was referred Senate Bill No. 41, An Act to provide assistance for education in the academies, seminaries of learning, colleges and other educational institutions of this

state, having considered the same, and being unable to agree with the majority, reported the same with the recommendation that the bill ought to pass.

WILLIAM W. COREY,  
FRANK J. DOWD,  
ROLAND E. LATOUR,

*For the Minority of the Committee.*

The report was accepted.

The question being on the resolution of the committee, inexpedient to legislate.

Mr. Parmenter of Londonderry moved that further consideration of the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Parmenter of Londonderry, Shattuck of Danville and Rainie of Concord and Mesdames DeLude of Unity and Travis of Portsmouth spoke in favor of the motion.

Messrs. Corey of Manchester, Bradley of Hanover, Angus of Claremont, Holden of Hanover and Mrs. Brungot of Berlin spoke against the motion.

(Mr. Wadleigh of Milford in Chair)

Mr. Vaughan of Newport spoke in favor of the motion.

Messrs. Bouvier of Swanzey and Pickett of Keene spoke against the motion.

(Speaker in Chair)

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Vaughan of Newport called for a division.

A division being had, 189 members having voted in the affirmative, and 107 members having voted in the negative, the motion prevailed.

Mr. Dowd of Concord demanded the yeas and nays and the roll was called with the following result:

**Yeas — 201**

MERRIMACK COUNTY: Phelps, Ellsworth, Vaughn of Bow, Vogel, Davis of Concord, Henry, Shea of Concord, Lessels,



Jewett, Rainie, Cilley, Maxham, Mahoney of Concord, Anderson, Nutter, Broadhurst, Burke, Carpenter, Mason, Mulaire, Davis of Hopkinton, Brown of Loudon, Milligan, Wilman, Ayer of Pittsfield, Young, Lovejoy, Bigelow, Workman.

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Black, Farwell, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Hadley, Goodwin, Abbott, Lang of Manchester, Danforth, Robb, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Buckley, Cummings, Peterson, Ramsdell, Saunders, Locke, Dutton, Rice, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Thomas, Smith of Hinsdale, Perry, Spofford, Kirk, McCullough, Wheeler, Bennett, Brown of Keene, Coddington, Faulkner, Carlton, Lane, Lang of Troy, Ballam, Rhodes, Billings, Ingham, Thompson.

SULLIVAN COUNTY: Bascom, Howe, Bissonett, Millar, Davis of Cornish, Nelson of Goshen, Reney, Bailey, Roe, Rowell, Vaughan of Newport, Pierce, DeLude.

GRAFTON COUNTY: Ramsey, Pryor, Chamberlin of Bath, Willey, Clarke of Canaan, Sanborn, Campion, Hayward, Larty, Sleeper, Chamberlain of Holderness, Adams, Jones of Lebanon, Townsend, Collyer, Kelley, Martin, Frazer, Talbot, Carr, Bell, Huckins, Sawyer.

COOS COUNTY: Rines, Alls, Hurlbert, Ross, Ferguson, Cornelius, Simonds, Potter, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Persson, Shattuck, Fogg, Clarke of Derry, Nickerson of East Kingston, Blair, Eastman of Exeter, Eldredge, Rathbone, Jones of Fremont, Weeks of Greenland, Spollett, Parmenter, Cheney, Carter, Pinkham, Palmer, Murch, Travis, Joyce, Wardwell, Munz, Philbrick, Haigh, Willis (Anna), Willis (Howard), Pillsbury of Sandown, Felch, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Felker, Webb, Pearson, Funkhouser, Littlehale, Chadbourn, Wentworth, Evans, Rolfe, Studley, Clement of Rochester, Estes, Brown of Strafford.

BELKNAP COUNTY: Skinner, McAllister, Gardner of Gilford, Hart, Morin, Simoneau, Tilton, Ballentine, Karagianis.

Burbank, Dana, Varrell, Smith of Meredith, Urie, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Benson, Downs, Roberts, Stokes, Nickerson of Madison, Lamprey, Hayden, Hodge, Remick, Hodgdon, Peaslee of Wakefield, Ford, Weeks of Wolfeboro.

### Nays — 123

MERRIMACK COUNTY: Baron, Dowd, Ferrin, Nelson of Concord, Corbett, Charland, Dempsey, DuDevoir.

HILLSBOROUGH COUNTY: Fortin, Latour, Pettigrew, Soucy of Manchester, Ward 1, Geisel, Mahony of Manchester, Dwyer, Hayes, Horan, Sullivan, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Callahan, Clancy, Ecker, Healy of Manchester, Ward 6, Slowey, Corey, Leclerc, Paradis, Tessier, Craig, Delisle, Langlois, Lavoie, Constant, Morris, Auger, Schricker, Alexander, Boisvert, Hurley, Lareau, Martel, Soucy of Manchester, Ward 12, Vaillancourt, Dion of Manchester, Gauthier, Lafond, Lesmerises, Cannon, Donnelly, Gamache, Boire, Thibault of Nashua, Belcourt, Trombley, Ayers of Nashua, Brosnahan, Maynard, Pappagianis, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Jean, Langelier, Bouthillier, Dumais.

CHESHIRE COUNTY: Haley, Pickett, Brown of Marlow, Sherwin, Bouvier.

SULLIVAN COUNTY: Angus, Bloomfield, Stone, Gamsby.

GRAFTON COUNTY: Plumer, Bradley, Holden, Ashley, Barney.

COOS COUNTY: Dussault, Fortier, Russell, Sheridan, Brungot, Christiansen, Bouchard, Fontaine, Gagnon, Annis, Bushey, Converse, Stinson.

ROCKINGHAM COUNTY: Tenney, McCaffery, Barrett, Dondero, Payette, Sadler, Quirk.

STRAFFORD COUNTY: Chase, Moher, Desjardins, Crandall, Flanagan, Stearns, Mros, Dustin, Nadeau, Carignan, St. Pierre, Maloomian, Letourneau.

BELKNAP COUNTY: Rogers.

CARROLL COUNTY: None.

### Pairs

Mrs. Frizzell of Charlestown voting Yes; paired with Mr. Ingraham of Portsmouth voting No.

And the motion prevailed.

Mr. Angus of Claremont, for the Special Committee consisting of the members from the city of Claremont, to whom was referred House Bill No. 544, An Act relative to the salary of the justice of the Claremont municipal court, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### Report of Committee on Engrossed Bills

Mrs. Hayden of Ossipee, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate bill:

Senate Bill No. 3, An Act relative to election campaign receipts and expenditures and their publication.

The report was accepted.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 417, An Act relative to the sale of horned pout for resale, to fish and game licenses and to fishing in Upper Connecticut River, having considered the same, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first three lines and inserting in place thereof the following: 1. *Horned Pout*. Amend chapter 246 of the Revised Laws (chapter 212 RSA) by inserting after section 25-b, as inserted by section 2, chapter 33, Laws of 1955, the following new section: 25-c.

On motion of Mr. Converse of Pittsburg the amendments proposed by the Committee on Engrossed Bills were adopted.

The bill was sent to the Senate for concurrence.

### Report of Conference Committee

The Committee of Conference, to whom was referred House Bill No. 223, An Act to simplify requirements for absentee

voting, having considered the same, report the same with the following recommendation:

That the House recede from its position of non-concurrence and concur with the amendment adopted by the Senate.

FRANCIS F. FAULKNER,  
HILDA C. F. BRUNGOT,  
LAURENCE M. PICKETT,  
*Conferees on the Part of the House.*  
JAMES C. CLEVELAND,  
THOMAS B. O'MALLEY,  
*Conferees on the Part of the Senate.*

On motion of Mr. Faulkner of Keene the report of the Committee of Conference was agreed to.

#### **Report of Conference Committee**

The Committee of Conference, to whom was referred House Bill No. 489, An Act relative to registration and re-registration of partnerships, having considered the same, report the same with the following recommendation:

That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendment, and that the following amendment be adopted by the Senate and House:

Amend section 2 of said bill by striking out the word "five" in the first line and inserting in place thereof the word, three, so that said section as amended shall read as follows:

2. *Appropriation.* The sum of three thousand five hundred dollars for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957, are hereby appropriated for the office of the secretary of state to be expended for additional personal services and current expenses necessitated because of amendments to corporation law and registration of partnerships. The sums hereby appropriated shall be a charge upon the general funds.

NELLE L. HOLMES,  
N. F. DAVIS,  
GEORGE S. PAPPAGIANIS,  
*Conferees on the Part of the House.*  
DEAN B. MERRILL,  
JAMES C. CLEVELAND,  
*Conferees on the Part of the Senate.*

On motion of Mrs. Holmes of Amherst the report of the Committee of Conference was agreed to.

### Report of Committee of Conference

The Committee of Conference, to whom was referred Senate Bill No. 31, An Act relative to manufacture or sale of sling shots, black jacks, etc., having considered the same, report the same with the following recommendation:

That the Senate recede from its position of non-concurrence in the House amendment, that the House recede from its position in adopting its amendment and that the following amendment be adopted:

Amend the title of said bill by striking out said title and inserting in place thereof the following: An Act relative to carrying weapons.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1. *Carrying Weapons.* Amend section 27 of chapter 455 of the Revised Laws by inserting after the word "stiletto" in the second line the words, switch knife, sword cane, pistol cane, black jack, so that said section as amended shall read as follows: 27. *Carrying Weapons.* Whoever, except as provided by the laws of this state, carries on his person any stiletto, switch knife, sword cane, pistol cane, black jack, dagger, dirk-knife, sling shot or metallic knuckles, shall be fined not more than one hundred dollars, or be imprisoned not more than one year, or both; and such weapon or article so carried by him shall be confiscated to the use of the state.

JOHN R. POWELL,  
ARCHIBALD H. MATTHEWS,  
*Conferees on the Part of the Senate.*

HERBERT W. RAINIE,  
R. H. SKINNER,  
ERNEST C. PILLSBURY,  
*Conferees on the Part of the House.*

On motion of Mr. Rainie of Concord the report of the Committee of Conference was agreed to.



### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate has voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 529, An Act making appropriations for the expenses of certain departments of the State for the year ending June 30, 1956, and the President has appointed as members of such a committee on the part of the Senate, Senators Merrill, McMeekin and Ferguson.

The message further announced that the Senate has voted to adopt the report of the Committee of Conference on House Bill No. 81, An Act relative to penalties for certain motor vehicle violations.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendment, in the passage of which amendment the Senate asks the concurrence of the House of Representatives:

House Joint Resolution No. 4, Joint Resolution relative to a study of multiple use of the Lake Massabesic Region.

Amend the joint resolution by striking out in line 5 the words "twenty-five hundred" and inserting in place thereof the words, five thousand, so that said joint resolution as amended shall read as follows:

That the New Hampshire council on resources and development is hereby directed to make a study of the feasibility and cost of multiple-use of the Lake Massabesic Region in the town of Auburn and the city of Manchester. For the purpose of providing funds for the study hereby authorized, the sum of five thousand dollars is hereby appropriated to be spent by the council. The governor is hereby authorized to draw his warrant for the sum hereby appropriated from any funds in the treasury not otherwise appropriated. The council shall report its findings and recommendations to the Legislature of 1957.

On motion of Mrs. Griffin of Auburn the House concurred in the adoption of the amendment sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 146, An Act to control motor vehicle and machinery junk yards and public dumps.

Amend the bill by striking out all of item 23, *Prohibition*, in paragraph (b) of section 1, and inserting in place thereof the following: 23. *Prohibition*. No person shall locate or maintain a motor-vehicle junk yard or machinery junk yard within a distance of one hundred fifty feet from the surface of any public highway unless the yard is fenced or screened so as to be completely hidden from view from the highway.

Further amend the bill by striking out in section 9 the words "upon its passage" and inserting in place thereof the words and figures, November 1st, 1955.

On motion of Mr. Deans of Milford the House concurred in the adoption of the amendments sent down from the Honorable Senate.

House Bill No. 142 (In New Draft), An Act relative to employment, suspension and dismissal of teachers.

Amend paragraph III of section 42-b of chapter 135, Revised Laws, as inserted by section 1, of said bill by striking out said paragraph and inserting in place thereof the following:

III. A teacher at the time of attaining continuing contract status shall receive from the state board of education a special certificate to be known as continuing contract certificate. No teacher shall be entitled to the special continuing contract certificate until and unless he has had a certificate to teach in the public schools of the state for a period of three years. A school board may, at its discretion, grant a teacher credit for any past service in computing attainment of continuing contract status. The attainment of continuing contract status shall be stated in the contract of employment and a copy thereof when signed by the superintendent, chairman of the school board, and the teacher shall be mailed promptly to the commissioner of education.

Amend section 42-g of chapter 135, Revised Laws, as in-

serted by section 1 of said bill by inserting after the words "suspension of" in the twelfth line the words, his continuing contract, so that said section as amended shall read as follows:

42-g. *Voluntary Termination of Contract.* On or before May 1, the school board shall give each teacher with continuing contract status a written notice, personally or by registered mail, of the terms of the teacher's contract, not otherwise specified by law, for the next school year, and within fourteen days after receipt of said notice, the teacher shall give written notice of acceptance, personally or by registered mail, to the school board, provided that a teacher may terminate a continuing contract with a school board, after acceptance, if written notice of termination is given to the school board on or before June 30, personally or by registered mail. A teacher who terminates a continuing contract after acceptance thereof, without giving notice of termination as herein prescribed, shall be penalized by suspension of his continuing contract certificate for three years by the commissioner of education, and such teacher shall lose continuing contract status and be on limited contract status for a period of three years before resuming continuing contract status unless the failure to give notice by June 30 is excused for cause by the school board.

Amend the bill by adding a new section. 4. Provided however that the provisions of this act shall not take effect in any school district that has not adopted the provisions hereof at an annual school district meeting after due notice to the members thereof. In school districts not having an annual meeting, the provisions hereof may be adopted by the school board or school committee entrusted with executing the powers of the district.

Further amend the bill by re-numbering section 4 to read section 5.

On motion of Mr. Vaughan of Newport, the House non-concurred in the adoption of the amendments sent down from the Honorable Senate, and a Committee of Conference appointed.

The Speaker appointed as members of such committee on the part of the House, Messrs. Vaughan of Newport, Shattuck of Danville and Ford of Wolfeboro.

House Bill No. 530, An Act making appropriations for the expenses of certain departments of the State for the year ending June 30, 1957.

Amend said bill by striking out after the word "to wit:" all words and figures relative to the legislative branch and inserting in place thereof the following: A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expenses of the legislature, including \$29,750.00 for the office of legislative assistant to the appropriations and finance committees, as provided by sections 30-34, chapter 14, RSA, and including \$10,000.00 for the office of legislative budget analyst. (Salary of legislative budget assistant \$8,500.00, other personal services \$19,500.00, current expenses \$850.00, travel \$800.00, equipment \$100.00); (Salary of legislative budget analyst \$5,500.00, secretary \$3,270.00, other expenditures \$1,230.00.)

Council of state governments	2,500.00
Legislative council	2,500.00
Total for legislative branch	<u>\$280,000.00</u>

Amend said bill by striking out in paragraph For executive branch: Office of governor, the words and figures, "Other personal services †19,940.00" and inserting in place thereof the words and figures, Other personal services †21,490.00. Further amend said paragraph by striking out the words and figures "Total \$37,190.00" and inserting in place thereof the words and figures, Total \$38,740.00. Further amend said paragraph by striking out the words and figures, "Total for governor's office \$54,490.00" and inserting in place thereof the words and figures, Total for governor's office \$56,040.00. Further amend said paragraph by striking out the words and figures "Total for executive branch \$141,490.00" and inserting in place thereof the words and figures, Total for executive branch \$143,040.00.

Amend the paragraph For Judicial branch: For supreme court: by striking out the words and figures "Other personal services 5,180.00" and inserting in place thereof the words and figures, Other personal services 5,380.00. Further amend

said paragraph "For supreme court" by striking out the words and figures,

"Total	\$84,370.00
Less estimated revenue	680.00

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Net appropriation	\$83,690.00"
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and inserting in place thereof the words and figures,

Total	\$84,570.00
Less estimated revenue	680.00

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Net appropriation	\$83,890.00
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Further amend said paragraph For judicial branch by striking out the words and figures "For judicial council 3,300.00" and inserting in place thereof the words and figures, For judicial council 4,200.00. Further amend said paragraph by striking out the words and figures "Total for judicial branch \$267,407.67" and inserting in place thereof the words and figures, Total for judicial branch \$268,507.67.

Amend the bill in the paragraph For adjutant general's department: Central administrative office: by striking out the words and figures, "State flags 120.00" and inserting in place thereof the words and figures, State flags 180.00. Further amend said paragraph by striking out the words and figures, "Total \$35,002.83" and inserting in place thereof the words and figures, Total \$35,062.63.

Amend said paragraph For adjutant general's department: Armories: by striking out the words and figures "Current expenses 82,000.00" and inserting in place thereof the words and figures, Current expenses 87,000.00. Further amend said paragraph by striking out the words and figures "Total 153,528.50" and inserting in place thereof the words and figures, Total 158,528.50.

Further amend said paragraph For adjutant general's department: by striking out the words and figures,

"Total for adjutant general's department	\$301,846.83
Less estimated revenue	39,322.50

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Net appropriation	\$262,524.33"
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and inserting in place thereof the words and figures,



Total for adjutant general's department	\$306,906.83
Less estimated revenue	39,322.50
	<hr/>
Net appropriation	\$267,584.33

Amend the bill in the appropriation For administration and control: Division of budget and control: by striking out the words and figures, "Salary of budget analyst 5,665.00" and inserting in place thereof the words and figures, Salary of assistant business supervisor 6,165.00. Change the total as follows: \$50,406.86 changed to \$50,906.86.

Amend the paragraph For administration and control: Division of purchase and property: Surplus food distribution: by striking out said subsection and inserting in place thereof the following:

Surplus food and commodities distribution:

Salary of director	\$5,150.00
Salary of supervisor of surplus food and commodities	4,782.90
Other personal services	5,180.00
Current expenses	24,245.00
Travel	2,500.00
Equipment	70.00
Other expenditures:	
Employees' retirement	980.83
	<hr/>
Total	\$42,908.73‡
Less estimated revenue and balance	42,908.73

Net appropriation	0.00
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‡ Authority is hereby given to utilize so much as may be necessary of the balance accumulated as of June 30, 1955 or any surplus accumulating during the fiscal years 1956 and 1957 within this subdivision, to efficiently operate this division without the use of any other state funds.

Amend said paragraph For administration and control by striking out the words and figures "Total for administration and control \$433,815.58" and inserting in place thereof, Total for administration and control \$434,315.58.

Amend the paragraph For department of agriculture: Division of markets and standards: by striking out the words and figures "Personal services \$26,795.73" and inserting in place thereof, Personal services \$27,395.73. Change the total as follows: 45,202.73 to 45,802.73.

Amend the paragraph For department of agriculture: Division of animal industry: by striking out the words and figures "Travel 6,200.00" and inserting in place thereof, Travel 7,900.00. Change the total as follows: 171,541.10 to 173,241.10.

Amend the paragraph For department of agriculture: Insect and plant disease control: by striking out "Personal services \$24,318.84" and inserting in place thereof, Personal services \$23,318.84. Further amend said paragraph by striking out, "Travel 5,000.00" and inserting in place thereof, Travel 5,800.00. Change the total as follows: 30,743.84 to 30,543.84.

Amend the paragraph For department of agriculture: Milk control: by striking out the same and inserting in place thereof the following:

Personal services	\$11,510.00	
Current expenses	2,680.00	
Travel	1,600.00	
Equipment	187.50	
		<hr/>
Total	\$15,977.50	
Less estimated revenue	15,977.50	
		<hr/>
Net appropriation		0.00

Amend the paragraph For department of agriculture: by striking out "Total for department of agriculture \$324,081.57" and inserting in place thereof, Total for department of agriculture \$326,181.57.

Amend the paragraph for the attorney general by striking out the words and figures "Current expenses 3,000.00" and inserting in place thereof the words and figures, Current expenses 3,500.00. Change the totals for attorney general's as follows: \$73,296.26 changed to \$73,796.26; \$82,026.26 changed to \$82,526.26 and \$79,026.28 changed to \$79,526.26.

Amend the paragraph For forestry division (forestry and recreation) : District fire supervision: by striking out the words

and figures "Less estimated revenue and balance 53,173.00" and inserting in place thereof, Less estimated revenue and balance \*\*\*63,173.00. Amend said paragraph For forestry division (forestry and recreation): Nursery: by striking out the words and figures "Less estimated revenue and balance 11,116.75" and inserting in place thereof, Less estimated revenue and balance \*\*\*11,116.75. Further amend said paragraph For forestry division (forestry and recreation): by adding at the end thereof the following note: \*\*\* If the federal grant exceeds the above estimate, such excess may be expended with the approval of the governor and council for said purposes.

Amend the bill in the appropriation for department of health, Administration, state, by striking out the words and figures "Other personal services 23,463.90" and inserting in place thereof, "Other personal services 24,063.90.\*\*

Further amend said paragraph by striking out the words and figures "Current expenses 16,000.00" and inserting in place thereof, "Current expenses 17,500.00."

Change the total and net appropriation as follows: \$50,-263.90 changed to \$52,363.90; \$46,443.90 changed to \$48,543.90.

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\*\* Of this amount \$900.00 shall be for the part-time services of a Clerk I for the Cancer Commission.

Amend the appropriation For department of health, Hospital services, state, by striking out and inserting in place thereof the following:

Hospital services, state:

Personal services	\$19,896.55
Current expenses	500.00
Travel	2,600.00

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Total	\$22,996.55
Less estimated revenue	2,000.00

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Net appropriation	<u>20,996.55</u>
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Amend the appropriation For department of health, Hospital services, federal, by striking out and inserting in place thereof the following:

## Hospital services, federal:

Current expenses	\$340.00
Travel	1,000.00

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Total*	\$1,340.00
Less estimated revenue*	1,340.00

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Net appropriation	0.00
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Amend the bill in the appropriation for department of health, Maternal and child health and crippled children's services, state, by striking out the words and figures "Convalescent care and clinics 60,000.00" and inserting in place thereof, Convalescent care and clinics 45,000.00. Change the total as follows: 116,656.50 changed to 101,656.50.

Strike out the paragraph relative to maternal and child health and crippled children's services: federal, and insert in place thereof the following:

Maternal and child health and crippled  
children's services: federal:

Personal services	\$17,527.50
Current expenses	56,227.50
Travel	2,000.00
Other expenditures:	
Convalescent care and clinics	40,000.00†
Total	\$115,755.00
Less estimated revenue*	115,755.00

Net appropriation	0.00
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\* Any revenue received in excess of the estimate shall be available for further expenditure, subject to the following note:

† This item may only be expended provided the total received from federal funds for this division shall exceed \$75,755.00 and said excess is available for crippled children's services. In no event shall the expenditures under convalescent care and clinics exceed the sum of \$40,000.00.

Further amend said bill by striking out the footnote at the end of the appropriation for the department of health.

Amend the bill in the appropriation for department of health, Commission on alcoholism, by striking out the same and inserting in place thereof the following:

Commission on alcoholism:

Personal services	\$33,362.70
Current expenses	45,000.00
Travel	1,500.00
Equipment	200.00

Other expenditures:

Medical and other expenses	2,000.00
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Total	\$82,062.70
Less estimated revenue	—4,800.00

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Net appropriation	77,262.70
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Amend the bill in the appropriation for department of health by striking out the words and figures "Total for department of health: state \$643,819.15 and inserting in place thereof, Total for department of health \$637,089.15.

Amend the bill by striking out the footnote at the end of the appropriation for the department of health and inserting in place thereof the following:

\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes, except as hereinabove provided.

Amend the bill in the appropriation for department of labor, Office of commissioner, by striking out the same and inserting in place thereof the following:

Office of commissioner:

Salary of commissioner	\$6,784.37
Other personal services	7,910.00
Current expenses	7,500.00
Travel	700.00

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Total	\$22,894.37
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Amend the bill in the appropriation for department of labor, Inspections division, by striking out the same and inserting in place thereof the following:



## Inspections division:

Personal services	\$29,611.50
Current expenses	2,600.00
Travel	7,100.00
Equipment	100.00

Total	39,411.50
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Amend the bill in the appropriation for department of labor, Workmen's compensation division, by inserting after the figure "100.00," the following: Equipment 300.00. Change the total as follows: 23,657.83 changed to 23,957.83.

Amend the bill in the appropriation for department of labor, by striking out "Total for department of labor \$84,323.70" and inserting in place thereof, Total for department of labor \$86,363.70.

Amend the bill in the appropriation for public welfare, Medical pools, Old age assistance, by striking out the words and figures "state's share 354,120.00" and inserting in place thereof, state's share 419,811.60.

Amend the bill in the appropriation for public welfare, Medical pools, Aid to needy blind, by striking out the words and figures "State's share 23,615.28" and inserting in place thereof, State's share 33,366.24.

Amend the bill in the appropriation for public welfare, Medical pools, Aid to permanently and totally disabled, by striking out the words and figures "state's share 15,984.00" and inserting in place thereof, state's share 42,255.00.

Amend the bill in the appropriation for public welfare by changing the total and net appropriation as follows: \$2,886,880.55 changed to \$2,988,594.11. \$2,680,404.39 changed to \$2,782,117.95.

Amend the bill in the appropriation For recreation division (forestry and recreation) by inserting at the end thereof the following footnotes:

In purchasing supplies for resale under this division, preference shall be given to the purchase of products (1) manufactured in New Hampshire, and (2), products distributed by resident persons, firms, or corporations, in that order.

The forestry and recreation division shall not charge admission for any children of New Hampshire residents living within ten miles of the Wellington State Park who are under the age of sixteen years. New Hampshire residents living within ten miles who are sixteen and older shall be admitted at a special lower rate of admission to be based on the operating cost of the said park for the previous year.

Amend the bill in the appropriation for state police, by striking out the same and inserting in place thereof the following:

For state police:

Salary of superintendent	\$8,400.00
Other personal services	356,045.21
Current expenses	30,600.00
Travel	86,500.00
Equipment	50,000.00
Other expenditures:	
Retirement	19,000.00
	<hr/>
Total for state police	\$550,545.21
Less transfer from	
highway	467,963.43
	<hr/>
Net appropriation	\$82,581.78

Amend the bill in the appropriation for state treasury by inserting after the word and figures "Equipment 3,000.00" the following:

\* Other expenditures — audit 2,000.00

Change the total as follows: \$84,156.00 changed to \$86,156.00.

\* The legislative budget assistant shall designate a certified public accountant, not employed in state service, to make the annual audit of the state treasury and said legislative budget assistant may accept the findings and report of said certified public accountant as fulfilling the provisions of section 12-a, chapter 23 (paragraph II, section 31, chapter 14, RSA) of the Revised Laws, whereby the said legislative budget assistant is required to audit the accounts of the state treasurer.

Further amend the appropriation for state treasury by inserting after "Net appropriation 0.00" the word and figures, Bounties 3,000.00. Change the total for state treasury as follows: Change \$151,351.27 to \$156,351.27.

Amend the bill in the appropriation for industrial school, Agriculture, by striking out the same and inserting in place thereof the following:

Agriculture:

Personal services	\$11,203.24
Current expenses	15,682.50
Equipment	264.00

Total	\$27,149.74
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Less credit transfer	\$19,875.00
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Less estimated revenue	8,025.00	27,900.00
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Net reduction	—750.26
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Change total, and net appropriation as follows: \$332,495.55 changed to \$332,171.55. \$322,995.55 changed to \$322,671.55.

Amend the bill in the appropriation for Laconia State School, Custodial care, by striking out same and inserting in place thereof the following:

Custodial care:

Personal services	\$112,730.23
Current expenses	210,914.00†
Travel	25.00
Equipment	6,000.00

Total	329,669.23
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Change the total, and net appropriation as follows: \$817,247.65, changed to 844,565.33; \$793,747.65 changed to 821,065.33.

† In this appropriation \$74,000.00 shall be for products used from the institution's farm and no part of said sum shall be transferred to any other appropriation or expended for any other purpose. In this total appropriation for current expenses

the sum of \$10,000.00 shall not be expended unless suitable surplus foods are not available.

Amend the bill in the appropriation for prison industries, by striking out the words and figures "Personal services \$67,456.51" and inserting in place thereof, Personal services \$69,926.51. Further amend by changing the total, and estimated revenue as follows: Change \$214,591.51 to \$217,061.51.

Amend the bill in the appropriation for state prison, Agriculture, by striking out the same and inserting in place thereof the following:

Agriculture:

Personal services	\$11,437.88
Current expenses	22,185.00
Equipment	2,800.00
Other expenditures:	
Slaughtering, cutting and	
curing meat	1,000.00
Refrigeration fees	75.00

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Total	\$37,497.88
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Less transfer

    credit      \$19,250.00

Less revenue	20,000.00	39,250.00
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Net reduction	—1,752.12
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Amend the bill in the appropriation for the University of New Hampshire by inserting in the footnote relative thereto the following: In the fourth line insert after the word "sum", the words, not in excess of \$50,000.00, so that said footnote as amended shall read as follows:

"It is estimated that the income received by the university from tuition charges will be \$1,072,000.00 for the year. In case this amount of income from this source is not received the state's appropriation for the university will be increased by such sum, not in excess of \$50,000.00, as represents the difference between \$1,072,000.00 and the amount actually received from tuition charges. Such provisions of section 22 of chapter 222, Revised Laws (section 28, chapter 187, RSA) as may be inconsistent with the provisions of this note are hereby suspended for the fiscal year ending June 30, 1957. The pro-

visions of section 18, chapter 222, Revised Laws (section 24, chapter 187, RSA) are suspended for the fiscal year ending June 30, 1957.

Amend the bill in the appropriation for board of education, by striking out the paragraph for Foundation Aid, and inserting in place thereof the following new paragraph:

Foundation aid:

State aid to school districts   \$1,200,000.00

Transportation, board, tuition     6,000.00

Total	1,206,000.00
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Amend the bill in the appropriation for board of education, Vocational rehabilitation, federal, by inserting after the word and figure "Retirement 1,200.00" the words and figures, Disability determination 15,000.00. Change the total, and estimated revenue as follows: \$58,273.00 changed to \$73,273.00.

Amend the bill in the appropriation for board of education by inserting after the paragraph for Education of the Deaf, the following new paragraph:

Area Vocational schools:

Personal services                     \$2,610.00

Current expenses                     300.00

Travel                                 200.00

Other expenditures:

Reimbursement to school districts	47,000.00
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Total	50,110.00
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Change total, and net appropriation as follows: \$3,073,981.77 changed to \$3,124,091.77. \$2,162,715.77 changed to \$2,212,825.77.

Amend the bill in the appropriation for board of education by striking out the footnote relative to income, at the end thereof, and inserting in place thereof the following new footnote:

In addition to the above appropriation said department shall receive for disbursement any excess over estimates in the income of the teachers colleges, from dormitories, tuitions, practice schools and extension courses, and revenue from tuitions received by the Manchester and Portsmouth technical insti-



tutes. No nursery school program shall be allowed at either Keene or Plymouth teachers colleges, and no funds out of this appropriation or any other available funds shall be used for this purpose.

Amend the bill in the appropriation for board of education by striking out the third footnote and inserting in place thereof the following:

In addition to the above appropriation said department shall receive for disbursement sums paid by school districts for the additional salaries of superintendents under the provisions of section 44, chapter 135, Revised Laws (section 44, chapter 189, RSA). The appropriation to cover the state's share for personal services for state-wide supervision is at the same rate of compensation as for the fiscal year 1954-1955. All helping teacher positions hereinafter established shall be only after a majority vote in a majority of the school districts in the supervisory union requesting the establishment of the position of helping teacher at their respective annual school district meetings.

Amend the bill in the appropriation For board of probation, by striking out and inserting in place thereof the following:

For board of probation:

Salary of director	\$6,315.00
Other personal services	110,626.83
Current expenses	9,067.00
Travel	11,750.00
Equipment	500.00

Total for board of  
probation

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\$138,258.83

Amend the bill in the appropriation for water resources board by striking out the words and figures "Travel 2,075.00" and inserting in place thereof the words and figures, "Travel 2,325.00." Change the total as follows: \$46,014.40 changed to \$46,264.40.

Amend the bill in the appropriation For water resources board by striking out all after "Total 2,000.00" and inserting in place thereof the following:

Total for water resources board	\$60,189.40
Less transfer from highway	\$4,500.00
Less transfer from Pittsburgh project*	4,000.00
	<hr/> 8,500.00
Net appropriation	<hr/> <hr/> \$51,689.40

\* Transferred by vote of the directors.

Amend the bill in the appropriation for aeronautics commission by striking out the paragraph and inserting in place thereof the following:

For aeronautics commission:

Salary of director	\$6,900.00
Other personal services	11,792.90
Current expenses	2,200.00
Travel	1,500.00
Equipment	100.00
	<hr/>
Total	\$22,492.90
Less estimated revenue	2,700.00
	<hr/>
Net appropriation	\$19,792.90
Airways toll fund*	\$7,800.00
Less transfers and balance	7,800.00
	<hr/>
Net appropriation	0.00
	<hr/>
Total for aeronautics commission	<hr/> <hr/> \$19,792.90

\* Expenditures shall not exceed existing balances plus revenue.

Amend the appropriation for the bank commissioner by striking out the same and inserting in place thereof the following:

For bank commissioner:

Salary of commissioner	\$8,640.00
Other personal services	61,833.43
Salary of deputies (two)	12,920.00

Current expenses	5,637.00
Travel	9,700.00
Equipment	900.00
Other expenditures:	
Retirement	5,104.28
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Total for bank commissioner	\$104,734.71
*Less revenue	83,174.71
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Net appropriation	<u>\$21,560.00</u>

\* The bank commissioner shall collect from the institutions the condition and management of which he is required to examine under the provisions of section 8 of chapter 307 of the Revised Laws, (section 9, chapter 383 RSA) as the cost of such examination, the sum of \$83,174.71 for the fiscal year ending June 30, 1957, and each such institution shall pay to the state within thirty days after receipt by it of notice of assessment such proportion of the said stated sum so collectible as its assets bear to the total assets of all such institutions as shown by their reports to the bank commissioner as of the thirtieth day of June preceding such payments; however, the sum to be paid by each such institution shall not be less than the following:

Savings bank or trust company	\$50
Building and loan association	25
Credit Union	15
Small loan licensee	10
Miscellaneous institution	25

and any amount collected under the provisions of this minimum assessment in excess of the state assessment together with said stated assessment amounts shall be credited to the appropriation for the bank commissioner.

Amend the bill in the appropriation for liquor commission, Stores operation, by striking out the same and inserting in place thereof the following:

Stores operation:

Personal services	\$609,681.50
Current expenses	200,500.00
Travel	8,500.00

Equipment	7,500.00
Other expenditures:	
Retirement	35,471.69
	<hr/>
Total	\$861,653.19

Change total for liquor commission, and revenue as follows: \$1,215,104.64 changed to \$1,231,844.23.

Amend the bill in the appropriation for planning and development commission, by striking out the figure "100,937.50†" and inserting, 100,937.50. Further amend by striking out the figure "90,000.00†" and inserting, 90,000.00. Further amend the said appropriation by striking out the footnote at the end thereof.

Amend the bill in the appropriation for racing commission by striking out the words and figures "Other personal services 30,147.60" and inserting in place thereof the words and figures, Other personal services 35,747.60\*. Change total for racing commission, and revenue as follows: \$42,027.60 changed to \$47,627.60.

\* Such portion of this amount as constitutes the compensation of the official steward or associate judge of the state racing commission, shall be reimbursed to the state by the person, association, or corporation conducting the race or meet.

Amend the bill in the appropriation For state tax commission, Office of commission: by striking out and inserting in place thereof the following:

Office of commission:

Salary of two commissioners	\$14,170.00
Salary of secretary	8,520.00
Other personal services	37,814.10
Current expenses	13,090.00
Travel	12,000.00
Equipment	1,392.00
	<hr/>
Total	\$86,986.10
Less estimated refunds	1,500.00
	<hr/>
Net appropriation	\$85,485.10

Amend the bill in the appropriation for state tax commission, Municipal accounting, by striking out the words and figures "Less estimated revenue 15,000.00" and inserting in place thereof the words and figures, "Less estimated revenue 24,000.00." Change net appropriation as follows: 33,420.90 changed to 24,420.90. Change total for tax commission as follows: \$201,237.70 changed to \$182,237.70.

Amend the bill in the appropriation for teachers' retirement system by striking out the words and figures "Current expenses 1,560.00" and inserting, Current expenses 1,760.00. Further amend by striking out the words and figures "Travel 700.00" and inserting, Travel 775.00. Change the total for teachers' retirement system as follows: \$304,748.00 changed to \$305,023.00.

Amend the bill in the appropriation for fish and game department, Conservation, by striking out the same and inserting in place thereof the following:

Conservation:

Personal services	\$160,532.49
Current expenses	18,000.00
Travel	71,000.00
Equipment	6,500.00

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Total	\$256,032.49
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Further amend the appropriation for fish and game department by changing the Total for fish and game department, and the estimated revenue and balance, as follows: \$1,018,370.80 changed to \$1,043,370.80.

Amend the bill in the appropriation for motor vehicle department, Inspectional services, by striking out the words and figures "Travel 16,000.00" and inserting in place thereof, Travel 18,200.00. Change the total as follows: 98,875.99 changed to 101,075.99. Change Total for motor vehicle department, and revenue as follows: \$508,912.08 changed to \$511,112.08.

Amend the bill by striking out the words and figures, "Total net appropriation \$17,210,873.23 and inserting in place thereof, Total net appropriation \$17,398,596.97.

Reading of the amendment having commenced, on motion of Mr. Scamman of Stratham further reading was dispensed with.



Mr. Scamman of Stratham moved that the House non-concur in the amendment sent down from the Honorable Senate and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Messrs. Scamman of Stratham, Pillsbury of Manchester, Sheridan of Berlin, Rowell of Newport and Davis of Hopkinton.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 115, An Act amending Chapter 17, section 18 of the Revised Laws of 1942 relating to certificates required in committing a patient to the State Hospital.

Senate Bill No. 122, An Act to lay out and construct a service road connecting with the Eastern New Hampshire Turnpike.

### Senate Bills Read and Referred

Senate Bill No. 115, An Act amending chapter 17, section 18 of the Revised Laws of 1942 relating to certificates required in committing a patient to the State Hospital.

Read a first and second time and referred to the Committee on Public Health.

Senate Bill No. 122, An Act to lay out and construct a service road connecting with the Eastern New Hampshire Turnpike.

Read a first and second time and referred to the Committee on Public Works.

### Point of Information

Mr. Ford of Wolfeboro rose on a point of information relative to House Bill No. 136, An Act relative to school building aid, which was referred to the Committee on Appropriations.

Mr. Scamman of Stratham rose to answer the point of information raised by the member from Wolfeboro, Mr. Ford.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title only, and when the House adjourns today it be to meet Tuesday morning at 11:0'clock.

### Third Readings

House Bill No. 536, An Act modifying the employees' retirement system of the state of New Hampshire and correlating its benefits with federal old-age and survivors' insurance benefits.

House Bill No. 544, An Act relative to the salary of the justice of the Claremont municipal court.

Severally read a third time and passed and sent to the Senate for concurrence.

On motion of Mrs. Gardner of Gilford at 1:55 o'clock the House adjourned.

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TUESDAY, JULY 26, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God, immortal, eternal, invisible, we remember with gladness and thanksgiving all that Thou hast been to all men — Companion of the disconsolate; Upholder of the loyal; Light of the darkened soul; Joy of the sad and bereaved; Guide of the wanderer; Refuge of the weak; Deliverer of the oppressed; Strength of the victorious; Friend of the Poor; Comforter of the sick, and Hope of the dying. Give us that faith now that Thou canst be all in all to us according to our special need of Thee, and that "in Thee we live and move and have our being."

We ask this in the name of our Teacher and Leader, Jesus Christ. Amen.

### Salute to the Flag

Mr. Bouvier of Swanzey led the convention in the salute to the flag.

### Leaves of Absence

Mr. Burgess of Manchester was granted an indefinite leave of absence on account of illness.

Mr. Campion of Hanover was granted leave of absence for the day on account of important business.

### Committee Reports

Mr. Hodgdon of Tuftonboro, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 62, Joint Resolution in favor of Charlotte Peterof, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Holden of Hanover, for the Committee on Judiciary, to whom was referred House Bill No. 420, An Act relative to Totten trusts, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to trust deposits in banks.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Trusts in Writing Expressing Intention*. Whenever a person, or two persons (payable to either of such persons, or payable to the survivor), deposits money in a bank, under written provisions whereby the deposit is made in trust for one or more named beneficiaries, whose addresses are designated, providing substantially that the trustee(s) depositor shall have complete control over the deposit during the lifetime of the trustee(s) or survivor, but upon his or their death the balance of said deposit shall vest in the beneficiary, or upon death of the beneficiary prior to death of the depositor(s) the trust shall terminate and vest in the depositor(s):

a. The title to such deposit shall under the above conditions, upon death of the depositor(s), prior to the death of the beneficiary, vest in such beneficiary, irrespective as to whether notice of such trust was given to the beneficiary, as to who had possession of the account book, as to who had control of the account, or as to whose money was the subject of the original deposit, and such bank shall pay the deposit to the beneficiary or his legal representative.

b. In the event of the death of the beneficiaries prior to the death of the trustee(s), the trust shall terminate, and the

balance of such deposit shall be paid by such bank to the trustee(s), or the survivor, or to his legal representative.

2. *Deposit in Writing in the Form "a, Trustee for b"*. When any deposit shall be made in a bank by any person in trust for another, including a minor, and no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to the bank, in the event of the death of the trustee, the deposit, together with the dividends credited thereon, may be paid to the person for whom the deposit was made, and the receipt or acquittance of such person shall be a valid and sufficient release and discharge to the bank for any payment so made.

3. *Definitions*. The word bank shall apply to state banks, mutual savings banks, guaranty savings banks, national banking associations, building and loan associations, co-operative banks, Morris Plan banks, trust companies, federal savings and loan associations, and credit unions. The word deposit shall apply to all types of deposits or accounts in the above-named institutions, whether represented by a certificate, a deposit book, an account book, or by any other form of document, as well as to checking accounts.

4. *Application of Act*. This act shall apply to present deposits in such banks, providing the trustees and beneficiaries have not deceased prior to the effective date of this act, and the continued maintenance of present deposits in such banks in the form hereinabove provided without change shall be construed as constituting acceptance of the legal effect of this act by said trustee and beneficiaries to the extent that any such acceptance and consent may be required to permit this act to apply to present deposits.

5. *Construction*. This act shall in no way affect the provisions of section 20, chapter 309, (RSA 386:19) section 8, chapter 314, (RSA 393:12) sections 3 and 4, chapter 87 of the Revised Laws (RSA 86:8,9) and chapter 162, Laws of 1953 (RSA 384:28-31).

6. *Takes Effect*. This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Faulkner of Keene, for the Committee on Judiciary, to whom was referred Senate Bill No. 113, An Act relative to the rate of tax on interest and dividends, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

The question being, Shall the bill be read a third time?

Mr. Faulkner of Keene spoke in favor of the question.

Mr. Geisel of Manchester offered the following amendment:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Income Tax.* Amend section 1 of chapter 78 of the Revised Laws (section 1, chapter 77, RSA) by striking out said section and inserting in place thereof the following: 1. *Rate.* An annual tax upon incomes shall be levied at the average rate of taxation, as near as may be, levied upon other property throughout the state, excepting polls, savings bank deposits, deposits in savings departments of national banks and property specially taxed, for the year in which the incomes taxed under this chapter are received. Provided that said annual tax shall not exceed, the rate of four per cent, in any one year.

The question being on the amendment.

Mr. Geisel of Manchester spoke in favor of the amendment, and subsequently withdrew his amendment.

Mr. Pillsbury of Manchester offered the following amendment:

Amend section 1 of the bill by striking out the figure "4½" and inserting in place thereof the figure, 4, so that said section as amended shall read as follows:

1. *Income Tax.* Amend section 1 of chapter 78 of the Revised Laws (section 1, chapter 77, RSA) by striking out said section and inserting in place thereof the following: 1. *Rate.* The annual tax upon incomes shall be levied at the rate of 4%.

The question being on the amendment.

On a *viva voce* vote, the amendment was adopted and the bill ordered to a third reading.

The Speaker declared a three-minute recess.

(After recess)



### Special Order

Mr. Pillsbury of Manchester called for the special order, it being the committee report from the Hillsborough county delegation.

Mr. Danforth of Manchester, for the Special Committee consisting of the members from Hillsborough County, to whom was referred Senate Bill No. 123, An Act providing for the election of county commissioners from the commissioner districts of Hillsborough county, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

The question being on the resolution of the committee.

Mr. Deans of Milford moved that the words, ought to pass, be substituted for those of inexpedient to legislate.

The question being on the motion.

Mr. Deans of Milford spoke in favor of the motion.

Mr. Casey of Manchester moved that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Casey and Danforth of Manchester, Rathbone of Exeter, Farwell of Brookline, Fortier of Berlin and Pickett of Keene, and Mesdames Brungot of Berlin and Dondero of Portsmouth spoke in favor of the motion.

Messrs. Eastman of Weare, Reed and Poore of Goffstown, Black of Bennington, Wadleigh of Milford, Cummings of Nashua and Pillsbury of Manchester spoke against the motion.

Mr. Pillsbury of Manchester called for a division.

A division being had, 142 members having voted in the affirmative and 165 members having voted in the negative, the motion did not prevail.

Mr. Casey of Manchester demanded the yeas and nays and the roll was called with the following result:

### Yeas — 140

HILLSBOROUGH COUNTY: Farwell, Fortin, Latour, Pettigrew, Danforth, Geisel, Dwyer, Hayes, Horan, Sullivan, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Callahan, Casey, Clancy, Ecker,

Healy of Manchester, Ward 6, Slowey, Corey, Leclerc, Paradis, Tessier, Craig, Delisle, Langlois, Lavoie, Constant, Morris, Auger, Bergeron, Schricker, Alexander, Boisvert, Hurley, Lareau, Soucy of Manchester, Ward 12, Dion of Manchester, Gauthier, Gelinas, Lafond, Lesmerises, Cannon, Donnelly, Gamache, Buckley, Boire, Thibault of Nashua, Belcourt, Trombley, Brosnahan, Maynard, Pappagianis, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Sweeney of Nashua, Dugas, Dutilly, Jean, Langelier, Bouthillier, Dumais.

CHESHIRE COUNTY: Bennett, Brown of Keene, Pickett, Waling, Terrill, Lang of Troy, Billings.

SULLIVAN COUNTY: Howe, Stone, Davis of Cornish, Nelson of Goshen, Bailey, Rowell, Vaughan of Newport, Pierce, DeLude.

GRAFTON COUNTY: Collyer, Bell, Barney.

COOS COUNTY: Dussault, Fortier, Roy, Brungot, Bouchard, Fontaine, Gagnon, Ross, Bushey, Charbonneau, Stinson.

ROCKINGHAM COUNTY: Fogg, Gay of Derry, Blair, Eldredge, Rathbone, Parmenter, Labranche, Pinkham, Barrett, Dondero, Hundley, Payette, Quirk, Joyce, Haigh.

STRAFFORD COUNTY: Chase, Moher, Desjardins, Flanagan, Dustin, Nadeau, Carignan, Lacasse, St. Pierre, Maloomian, Letourneau, Cormier.

BELKNAP COUNTY: Gardner of Gilford, Simoneau, Varrell, Smith of Meredith.

CARROLL COUNTY: Benson.

MERRIMACK COUNTY: Baron, Dowd, Ferrin, Corbett, Jewett, Comi, Dempsey, DuDevoir, Mulaire, Young.

#### Nays — 174

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Black, Herrick, Jones of Frankestown, Hambleton, Jennings, Poore, Reed, Hadley, Goodwin, Abbott, Lang of Manchester, Pillsbury of Manchester, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Cummings, Peterson, Ramsdell, Locke, Dutton, Rice, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Burnham, Thomas, Pike, Smith of Hinsdale, Perry, Kirk, McCullough, Wheeler, Coddington, Faulk-

ner, Carlton, Sherwin, Lane, Bouvier, Ballam, Rhodes, Ingham, Thompson.

SULLIVAN COUNTY: Bascom, Angus, Bissonett, Reney, Gamsby.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Plumer, Willey, Clarke of Canaan, Sanborn, Bradley, Holden, Larty, Chamberlain of Holderness, Adams, Ashley, Cole, Jones of Lebanon, Townsend, Gardner of Littleton, Kelley, Martin, Frazer, Talbot, Huckins, Sawyer.

COOS COUNTY: Rines, Alls, Hurlbert, Ferguson, Cornelius, Simonds, Annis, Baker, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Persson, Tenney, Bisbee, Clarke of Derry, Nickerson of East Kingston, Eastman of Exeter, Merrill, Jones of Fremont, Weeks of Greenland, Spollett, Cheney, Carter, Murch, Travis, Wardwell, Munz, Philbrick, Willis, (Anna), Willis, (Howard), Pillsbury of Sandown, Felch, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Felker, Webb, Crandall, Pearson, Funkhouser, Littlehale, Nute, Chadbourn, Wentworth, Evans, Studley, Clement of Rochester, Estes, Brown of Strafford.

BELKNAP COUNTY: McAllister, Hart, Rogers, Morin, Tilton, Ballentine, Burbank, Dana, Miner, Urie, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Downs, Roberts, Nickerson of Madison, Lamprey, Hayden, Remick, Hodgdon, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Phelps, Ellsworth, Vaughn of Bow, Vogel, Stevens, Davis of Concord, Hancock, Shea of Concord, Lessels, Rainie, Cilley, Maxham, Walker, Nutter, Broadhurst, Burke, Charland, Carpenter, Mason, Davis of Hopkinton, Brown of Loudon, Milligan, Gay of New London, Wilman, Ayer of Pittsfield, Lovejoy, Bigelow, Bean, Workman.

### Pairs

Mr. Spaulding of Hudson voting Yes; paired with Mrs. Christiansen of Berlin voting No.

Mr. Martel of Manchester voting Yes; paired with Mr. Converse of Pittsburg voting No.

Mr. Vaillancourt of Manchester voting Yes; paired with Mr. Bloomfield of Claremont voting No.

Mr. Grandmaison of Nashua voting Yes; paired with Mr. Saunders of Nashua voting No.

Mr. Russell of Berlin voting Yes; paired with Mr. Carr of Orford voting No.

Mr. Kenney of Franklin voting Yes; paired with Mr. Haley of Keene voting No.

And the motion to indefinitely postpone did not prevail.

The question being on the motion to substitute the words ought to pass.

On a *viva voce* vote the motion prevailed.

Mr. Lafond of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mr. Charland of Franklin offered the following amendment.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act providing for the election of county commissioners from the commissioner districts of Hillsborough, Merrimack, Cheshire, Sullivan, Rockingham and Belknap counties.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *County Commissioners.* Amend section 1 of chapter 45 of the Revised Laws (section 1, chapter 64, RSA) by striking out said section and inserting in place thereof the following: 1. *Election; Term.* There shall be chosen at each biennial election, by ballot, by the inhabitants of the several towns in each county qualified to vote for state senators, a sheriff, a county solicitor, a county treasurer, a register of deeds, a register of probate and three county commissioners, each of whom shall take office on January first next succeeding his election, and shall hold the same for two years and until his successor is chosen and qualified, provided, however, that in the counties of Hillsborough, Merrimack, Cheshire, Sullivan, Rockingham and Belknap the inhabitants of the several towns in each of the commissioner districts, so qualified, shall choose at each election one commissioner for said district.

2. *Commissioner Districts.* Amend chapter 45 of the Revised Laws (chapter 64, RSA) by inserting after section 2

the following new section: 2-a. *Districts.* The counties of Hillsborough, Merrimack, Cheshire, Sullivan, Rockingham, and Belknap are each divided into three districts, as provided in section 14, chapter 45, Revised Laws, for the purpose of choosing county commissioners and each district is entitled to elect one commissioner.

3. *Qualifications.* Amend section 2 of chapter 45, Revised Laws (section 2, chapter 64, RSA) by striking out said section and inserting in place thereof the following: 2. *Eligibility.* No person is eligible to the office of sheriff, county solicitor, county treasurer, register of deeds, register of probate, or county commissioner unless he is a resident of the county for which he is chosen, and, in the case of the county commissioners of the counties of Hillsborough, Merrimack, Cheshire, Sullivan, Rockingham and Belknap unless he is a resident also of the district for which he is chosen. No person shall hold two of said offices at the same time, and the acceptance of one of them shall be a resignation of the others.

4. *Commissioners.* Amend section 15, chapter 45, Revised Laws (section 12, chapter 64, RSA) by striking out said section and inserting in place thereof the following: 15. *Eligibility, Voting and Election.* In the foregoing counties, no person shall be eligible to be a candidate for county commissioner except from the district in which he is a resident. The inhabitants of said counties may vote for not more than one candidate from each district, except in the counties of Hillsborough, Merrimack, Cheshire, Sullivan, Rockingham and Belknap where the inhabitants of each district therein may vote for not more than one candidate from said district. In all of said counties the candidate receiving the highest number of votes in any one district shall be declared elected county commissioner from that district.

5. *Takes Effect.* This act shall take effect for the nomination and election of Hillsborough, Merrimack, Cheshire, Sullivan, Rockingham and Belknap county commissioners at the biennial election in 1956, but nothing herein shall be construed as affecting the term of office or the qualifications of county commissioners in office at the time this act takes effect.

Reading of the amendment having commenced on motion



of Mr. Charland of Franklin, further reading was dispensed with.

The question being on the amendment.

(Discussion ensued)

Mr. Charland of Franklin spoke in favor of the amendment.

Messrs. Angus of Claremont, Pillsbury of Manchester and Mrs. DeLude of Unity spoke against the amendment.

On a *viva voce* vote, the amendment was not adopted.

Mr. Dion of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mr. Charland of Franklin called for a division.

A division being had, 85 members having voted in the affirmative, and 169 members having voted in the negative, the amendment was not adopted.

Mr. Dion of Manchester offered the following amendment:

Amend Senate Bill No. 123 by adding at the end thereof the following new paragraph:

This bill shall not be effective on the voters of Hillsborough County until after they have had the chance to vote by referendum on the question which shall be phrased as follows:

“Shall the Commissioners for Hillsborough County be elected only by the vote of those residents residing in the District for which the Commissioner proposes to represent?”

The question being on the amendment.

(Discussion ensued)

Messrs. Craig, Lesmerises and Casey of Manchester spoke in favor of the amendment.

Mr. Pillsbury of Manchester spoke against the amendment.

On a *viva voce* vote, the amendment was not adopted.

Mr. Casey of Manchester called for a division.

A division being had, 120 members having voted in the affirmative, and 172 members having voted in the negative, the amendment was not adopted.

Mr. Dion of Manchester demanded the yeas and nays and the roll was called with the following result:

(Mr. Bell of Plymouth in Chair)

## Yeas — 114

HILLSBOROUGH COUNTY: Farwell, Latour, Pettigrew, Danforth, Geisel, Dwyer, Hayes, Horan, Sullivan, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Callahan, Casey, Clancy, Ecker, Healy of Manchester, Ward 6, Slowey, Corey, Leclerc, Paradis, Tessier, Craig, Delisle, Langlois, Lavoie, Constant, Morris, Bergeron, Schricker, Alexander, Boisvert, Hurley, Lareau, Soucy of Manchester, Ward 12, Dion of Manchester, Gauthier, Gelinas, Lafond, Lesmerises, Cannon, Donnelly, Gamache, Thibault of Nashua, Trombley, Brosnahan, Maynard, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Sweeney of Nashua, Dugas, Dutilly, Grandmaison, Langelier, Bouthillier, Dumais.

CHESHIRE COUNTY: Pickett, Waling, Thompson.

SULLIVAN COUNTY: Angus, Stone, Bailey, Vaughan of Newport, DeLude.

GRAFTON COUNTY: Barney.

COOS COUNTY: Fortier, Roy, Sheridan, Bouchard, Fontaine, Gagnon, Ross, Bushey, Charbonneau, Stinson.

ROCKINGHAM COUNTY: Fogg, Blair, Eldredge, Rathbone, Labranche, Barrett, Hundley, Payette.

STRAFFORD COUNTY: Moher, Desjardins, Flanagan, Littlehale, Chadbourn, Dustin, Nadeau, Carignan, Lacasse, St. Pierre, Maloomian, Letourneau, Cormier.

BELKNAP COUNTY: Gardner of Gilford, Simoneau, Varrell.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Baron, Dowd, Ferrin, Corbett, Comi, Burke, Charland, Dempsey, DuDevoir.

## Nays — 180

HILLSBOROUGH COUNTY: Robinson of Antrim, Wiggin, Black, Herrick, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Hadley, Goodwin, Abbott, Lang of Manchester, Pillsbury of Manchester, Auger, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Buckley, Cummings, Peterson, Ramsdell, Boire, Pappagianis, Locke, Dutton, Rice, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Burnham, Thomas, Pike, Perry, Kirk, McCullough, Wheeler, Bennett, Brown of Keene, Coddington, Faulkner, Carlton, Sherwin, Terrill, Lane, Bouvier, Lang of Troy, Ballam, Rhodes, Billings, Ingham.

SULLIVAN COUNTY: Bascom, Howe, Bissonett, Davis of Cornish, Nelson of Goshen, Reney, Rowell, Gamsby.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Plumer, Willey, Clarke of Canaan, Sanborn, Bradley, Holden, Larty, Chamberlain of Holderness, Adams, Ashley, Jones of Lebanon, Perley, Townsend, Gardner of Littleton, Kelley, Frazer, Talbot, Carr, Huckins, Sawyer.

COOS COUNTY: Rines, Alls, Hurlbert, Ferguson, Simonds, Converse, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Persson, Tenney, Bisbee, Clarke of Derry, Nickerson of East Kingston, Eastman of Exeter, Merrill, Jones of Fremont, Weeks of Greenland, Parmenter, Cheney, Carter, Murch, Travis, Joyce, Wardwell, Munz, Philbrick, Haigh, Willis, (Anna), Willis, (Howard), Pillsbury of Sandown, Felch, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Felker, Webb, Crandall, Pearson, Funkhouser, Nute, Wentworth, Studley, Clement of Rochester, Estes, Brown of Strafford.

BELKNAP COUNTY: Skinner, McAllister, Hart, Rogers, Morin, Tilton, Ballentine, Burbank, Dana, Miner, Smith of Meredith, Urie, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Benson, Downs, Roberts, Nickerson of Madison, Lamprey, Hayden, Remick, Hodgdon, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Phelps, Ellsworth, Vaughn of Bow, Vogel, Stevens, Hancock, Shea of Concord, Lessels, Jewett, Rainie, Maxham, Walker, Nutter, Broadhurst, Carpenter, Mason, Mulaire, Davis of Hopkinton, Brown of Loudon, Milligan, Gay of New London, Wilman, Lovejoy, Bigelow, Bean, Workman.

### Pairs

Mrs. Dondero of Portsmouth voting Yes; paired with Miss Spollett of Hampstead voting No.

And the amendment was not adopted.

(Speaker in Chair)

### **Inquiry**

Mr. Lafond of Manchester inquired if a quorum of the House was present.

The Speaker ruled that 294 members having answered the roll, a quorum was present.

Mr. Lafond of Manchester demanded a count of the House.

The Speaker called for a standing count of the members present and 301 members having been counted and 201 members being a quorum, declared a quorum present.

The question being, Shall the bill be read a third time?

Mr. Lafond of Manchester demanded the yeas and nays, and the roll was called with the following result:

### **Yeas — 201**

HILLSBOROUGH COUNTY: Robinson of Antrim, Wiggin, Black, Herrick, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Fortin, Hadley, Goodwin, Abbott, Lang of Manchester, Pettigrew, Pillsbury of Manchester, Robb, Auger, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Buckley, Cummings, Peterson, Ramsdell, Pappagianis, Locke, Dutton, Rice, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Burnham, Thomas, Pike, Smith of Hinsdale, Perry, Kirk, McCullough, Wheeler, Bennett, Brown of Keene, Coddington, Faulkner, Carlton, Sherwin, Terrill, Lane, Bouvier, Lang of Troy, Ballam, Rhodes, Billings, Ingham, Thompson.

SULLIVAN COUNTY: Bascom, Angus, Bloomfield, Bissonett, Stone, Davis of Cornish, Nelson of Goshen, Reney, Rowell, Gamsby.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Plumer, Willey, Clarke of Canaan, Sanborn, Bradley, Holden, Larty, Chamberlain of Holderness, Adams, Ashley, Jones of Lebanon, Perley, Townsend, Gardner of Littleton, Kelley, Frazer, Talbot, Carr, Bell, Huckins, Sawyer.

COOS COUNTY: Dussault, Roy, Sheridan, Rines, Alls, Hurlbert, Ross, Ferguson, Cornelius, Simonds, Converse, Baker, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Persson, Tenney, Fogg, Clarke of Derry, Nickerson of East Kingston, Eastman of Exeter, Merrill, Jones of Fremont, Weeks of Greenland, Spollett, Parmenter, Cheney, Carter, Murch, Travis, Joyce, Wardwell, Munz, Philbrick, Haigh, Willis, (Anna), Willis, (Howard). Pillsbury of Sandown, Felch, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Felker, Webb, Crandall, Pearson, Funkhouser, Nute, Chadbourn, Wentworth, Evans, St. Pierre, Studley, Clement of Rochester, Estes, Letourneau, Brown of Strafford.

BELKNAP COUNTY: Skinner, McAllister, Gardner of Gilford, Hart, Rogers, Morin, Tilton, Ballentine, Burbank, Dana, Varrell, Miner, Smith of Meredith, Urie, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Downs, Roberts, Nickerson of Madison, Lamprey, Hayden, Remick, Hodgdon, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Phelps, Ellsworth, Vaughn of Bow, Vogel, Stevens, Hancock, Shea of Concord, Lessels, Corbett, Jewett, Rainie, Maxham, Walker, Nutter, Broadhurst, Carpenter, Mason, Davis of Hopkinton, Brown of Loudon, Milligan, Gay of New London, Wilman, Ayer of Pittsfield, Lovejoy, Bigelow, Bean, Workman.

### Nays — 92

HILLSBOROUGH COUNTY: Farwell, Latour, Danforth, Dwyer, Hayes, Horan, Sullivan, Fitzgerald, Kean, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Callahan, Casey, Clancy, Ecker, Healy of Manchester, Ward 6, Slowey, Corey, Leclerc, Paradis, Tessier, Craig, Delisle, Langlois, Lavoie, Morris, Bergeron, Schricker, Alexander, Boisvert, Hurley, Lareau, Soucy of Manchester, Ward 12, Dion of Manchester, Gauthier, Gelinas, Lafond, Lesmerises, Donnelly, Gamache, Boire, Thibault of Nashua, Trombley, Brosnahan, Maynard, Dionne of Nashua, Shea of Nashua, Dugas, Dutilly, Grandmaison, Langelier, Bouthillier, Dumais.

CHESHIRE COUNTY: Pickett, Waling.

SULLIVAN COUNTY: Howe, Vaughan of Newport, DeLude.

GRAFTON COUNTY: Barney.



COOS COUNTY: Fortier, Bouchard, Fontaine, Gagnon, Bushey, Charbonneau, Stinson.

ROCKINGHAM COUNTY: Blair, Eldredge, Rathbone, Labranche, Barrett, Dondero, Hundley, Payette.

STRAFFORD COUNTY: Desjardins, Flanagan, Dustin, Carignan, Lacasse, Maloomian.

BELKNAP COUNTY: Simoneau.

CARROLL COUNTY: Benson.

MERRIMACK COUNTY: Baron, Dowd, Ferrin, Comi, Charland, Dempsey, DuDevoir, Mulaire.

And the bill was ordered to a third reading.

Mr. Angus of Claremont moved that the rules be suspended to allow the third readings and final passage of bills, by title only, at the present time.

On a *viva voce* vote, the motion prevailed.

### Third Readings

House Bill No. 420, An Act relative to trust deposits in banks.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 113, An Act relative to the rate of tax on interest and dividends.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

Senate Bill No. 123, An Act providing for the election of county commissioners from the commissioner districts of Hillsborough county.

Read a third time.

The question being, Shall the bill pass?

Mr. Lafond of Manchester demanded the yeas and nays but subsequently withdrew his demand.

On a *viva voce* vote, the bill passed and was sent to the Secretary of State to be engrossed.

### Reconsideration

Mr. Deans of Milford moved that the House reconsider its vote whereby it passed Senate Bill No. 123, An Act providing

for the election of county commissioners from the commissioner districts of Hillsborough county.

On a *viva voce* vote, the motion did not prevail.

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bills and House joint resolutions:

House Bill No. 146, An Act to control motor vehicle and machinery junk yards and public dumps.

House Bill No. 380, An Act providing for liens in favor of hospitals.

House Bill No. 417, An Act relative to the sale of horned pout for resale, to fish and game licenses and to fishing in Upper Connecticut River.

House Bill No. 532, An Act to provide for cumulative pocket supplements to Revised Statutes Annotated.

House Bill No. 544, An Act relative to the salary of the justice of the Claremont Municipal court.

House Joint Resolution No. 4, Joint Resolution relative to a study of multiple-use of the Lake Massabesic Region.

House Joint Resolution No. 28, Joint Resolution to provide for a cooperative aerial geophysical survey of portions of the state of New Hampshire.

House Joint Resolution No. 61, Joint Resolution in favor of the estate of George T. Colony.

House Bill No. 174, An Act providing funds for highway improvement.

House Bill No. 168, An Act to coordinate development and regulatory activities relating to the peaceful uses of atomic energy.

House Bill No. 81, An Act relative to penalties for certain motor vehicle violations.

House Bill No. 329, An Act relative to disabled veterans.

The report was accepted.

### **Report of Committee of Conference**

The Committee of Conference to whom was referred Senate Bill No. 83, An Act relative to Colby Junior College Highway and Sutton road, having considered the same, reported the same with the following recommendation:

That the Senate recede from its position of non-concurrence with the House amendment, that the House recede from its position in adopting its amendment and that the following amendment be adopted:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Repeal.* Chapter 11 of the Laws of 1953, changing the name of a part of Route 114 to Colby Junior College Highway is hereby repealed.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2. *Highway Markers.* The commissioner of public works and highways shall cause to be removed the markers designating Colby Junior College Highway. He shall cause to be erected markers at the several appropriate junctions on Routes 114, 103, 11, 10 and 4, and at any other points deemed desirable, which will adequately identify the town of Sutton and Colby Junior College.

DAVID J. BRADLEY,  
EARLE H. REMICK,  
DORIS C. RENEY,

*Conferees on the part of the House.*

IRENE WEED LANDERS,  
J. WESLEY COLBURN,

*Conferees on the Part of the Senate.*

On motion of Mr. Bradley of Hanover the report of the Committee of Conference was agreed to.

### Senate Message

A message sent down from the Honorable Senate by its Clerk, announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 542, An Act providing additional retirement benefits for Harry L. Hurlbert.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 417, An Act relative to the sale of horned pout for resale, to fish and game licenses and to fishing in Upper Connecticut River.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 36, An Act to provide recognition of the war service of residents of this state who served in the armed forces of the United States during the Korean conflict.

House Joint Resolution No. 6, Joint Resolution providing an appropriation for works of improvement on small water-sheds.

House Joint Resolution No. 17, Joint Resolution relating to teachers' retirement system study.

House Joint Resolution No. 49, Joint Resolution relative to a road in Fitzwilliam and providing for a study of access highways to state reservations.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills and joint resolutions sent up from the House of Representatives:

House Bill No. 94, An Act relative to the taking of oysters, lobsters, crabs and clams.

House Bill No. 168, An Act to coordinate development and regulatory activities relating to the peaceful uses of atomic energy.

House Bill No. 174, An Act providing for funds for highway improvement.

House Bill No. 329, An Act relative to disabled veterans.

House Bill No. 532, An Act to provide for cumulative pocket supplements to Revised Statutes Annotated.

House Bill No. 544, An Act relative to the salary of the justice of the Claremont municipal court.

House Joint Resolution No. 28, Joint Resolution to provide for a cooperative aerial geophysical survey of portions of the state of New Hampshire.

House Joint Resolution No. 61, Joint Resolution in favor of the estate of George T. Colony.

The message further announced that the Senate had voted

to adopt the report of the Committee of Conference on the following entitled bills:

Senate Bill No. 31, An Act relative to manufacture or sale of sling shots, black jacks, etc.

Senate Bill No. 83, An Act relative to Colby Junior College Highway and Sutton road.

House Bill No. 223, An Act to simplify requirements for absentee voting.

House Bill No. 489, An Act relative to registration and re-registration of partnerships.

The message further announced that the Senate had passed the following concurrent resolutions, in the passage of which it asks the concurrence of the House of Representatives:

### **Concurrent Resolution**

Relating to possible abuse of Welfare aid.

*Whereas*, there is indication that some persons receiving state Welfare aid in the purchase of drugs and medicinal supplies are diverting such assistance to persons other than themselves and

*Whereas*, the extent to which such abuse of Welfare assistance is unknown, but should be determined, now therefore be it

*Resolved by the Senate and House of Representatives in General Court convened:*

*That* the attorney general is hereby instructed to conduct full and proper investigation into this matter and report his findings to the Legislative Council.

The concurrent resolution was referred to the Committee on Public Welfare and State Institutions.

### **Concurrent Resolution**

Relating to Business Supervisor of Institutions

*Resolved by the Senate and House of Representatives in General Court convened:*

*That* when in the conduct of his duties in office it shall appear in his considered judgment that the intended use of capital funds, or the use of appropriated operating funds is in the direction of expenditures for capital improvements of questionable value to the public; the Business Supervisor of Institutions shall



so advise the Chairman of the Board, Trustees or Commission, as the case may be. Such advice shall be by letter of transmittal and shall be specific as to nature of objections and contain recommendations for changes proposed by the Business Supervisor of Institutions. In all cases a copy of the transmittal letter shall be simultaneously sent to the Governor and Council, and to the Chairman of the Fiscal Committee of the Legislative Council.

The concurrent resolution was referred to the Committee on Appropriations.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 25 (In New Draft), An Act relating to forest conservation and taxation.

Amend the first four lines of section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *New Chapter.* Amend chapter 79-A of the Revised Laws, as inserted by chapter 295, Laws of 1949, and as amended by chapter 12, Laws of 1951 and chapter 256, Laws of 1953 (chapter 79, RSA) by striking out said chapter and inserting in place thereof the following:

Amend section 14 of chapter 79-A as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

14. *Collection and Distribution of Normal Yield Taxes and Bond and Debt Retirement Taxes in Unorganized Towns and Unincorporated Places.* The taxes assessed under sections 3 and 4 of this chapter in any unorganized town or unincorporated place shall be collected by the director of the division of interest and dividends of the state tax commission and paid by him to the state treasurer. The director of the division of interest and dividends shall have the same powers in collecting the tax as are provided tax collectors under chapter 80 of the Revised Laws. The state treasurer shall distribute the normal yield taxes in the unorganized towns and unincorporated places as follows: (a) to the state tax commission the cost of assessment, collection and any appeal in the unorganized

towns and unincorporated places; (b) to the treasurer of the county in which such town or place is situated, to be credited against its share of the county tax, if any, for the ensuing year. Any normal yield tax revenues remaining in the state treasury after the above distributions have been made together with any balance shall be for use by the state forester in the place from which the tax was collected. The funds shall be used for forest conservation purposes including the construction and maintenance of forest fire roads and trails and forest diseases and insect control.

The director of the division of interest and dividends shall also collect any unpaid taxes assessed under chapter 79-A in unincorporated places and unorganized towns under the statute prior to the enactment of this act.

Amend said bill by inserting after section 25 of chapter 79-A as inserted by section 1 of said bill the following new section:

26. *Distribution.* The state treasurer shall annually make distribution to the towns and cities from the funds provided for herein in accordance with the certification from the state tax commission of the amounts due hereunder.

27. *Interpretation.* Nothing herein contained shall be construed as repealing or affecting in any way the authority for the issuance of bonds under sections 13, 14, 15 and 16 of chapter 295, Laws of 1949, chapter 4, Laws of 1951, chapter 216, Laws of 1951, and chapter 170, Laws of 1953, nor shall it affect bonds heretofore or hereafter issued in accordance with said statutes.

Further amend said bill by inserting after section 2 the following new section:

3. *Goshen-Lempster Cooperative School District.* In so far as the borrowing by the Goshen-Lempster cooperative school district is concerned which has been authorized under the provisions of chapter 11 of the Laws of 1955 the debt limit thereof shall be computed on the last assessed valuation plus the five-year average assessment of growing wood and timber therein.

Amend section 3 of said bill by striking out the same, re-numbering and inserting in place thereof the following:

4. *Takes Effect.* The provisions of section 3 shall take effect upon the passage of this act. The remaining provisions of this act shall take effect October 1, 1955, provided, however, that reimbursement shall be made for losses of tax revenue sustained in the year 1955 to those places so entitled in accordance with section 3, chapter 242 of the Laws of 1953. Section 10 of chapter 256 of the Laws of 1953 is hereby repealed as of October 1, 1955.

On motion of Mrs. Gardner of Gilford the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 328, An Act to change the name of the Board of Nurse Examiners and to increase the fees for nurse registration.

Amend said bill by striking out section 3 and inserting in place thereof the following:

3. *Uniformity of Wording.* Amend section 6, chapter 257, Revised Laws, as inserted by chapter 285, Laws of 1947, and as amended by chapter 127, Laws of 1951, by striking out said section and inserting in place thereof the following:

6. *Registration.* Any person of good moral character over twenty years of age who is a citizen of the United States or who has legally declared his intention of becoming one or who is a citizen of a Canadian province, who holds a diploma from a state accredited school of nursing giving a course of at least three years or its equivalent in a university or college of nursing, affiliated with an institution or institutions approved by the board as maintaining in this and other respects adequate standards, all of which shall be determined by the said board, and who shall have received from the board a certificate of qualification to practice as a registered nurse, shall be styled and known as a registered nurse and no other person shall assume such title or use the abbreviation R. N. or any other words, letters, or figures to indicate that the person using the same is a registered nurse.

On motion of Mr. Pillsbury of Manchester the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 543, An Act relative to compensation of legislative employees.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Legislative Employees.* Amend section 23 of chapter 9 of the Revised Laws, as amended by section 1, chapter 89, Laws of 1945, section 1, chapter 271, Laws of 1947, section 1, chapter 2 and section 1 of chapter 266, Laws of 1953 (section 24, chapter 14, RSA) by striking out said section and inserting in place thereof the following: 23. *Attaches.* The compensation of the following attaches of the Senate and House of Representatives shall be sergeant-at-arms, \$9 a day; custodian of mails and supplies, \$7.50 a day; the senate messenger who acts as custodian of mails and supplies, \$7.50 a day; messengers, assistant messengers, telephone messengers, library messengers, doorkeepers, wardens and assistant wardens, pages and chaplain, \$6 a day; each for six days a week.

Amend section 2 of said bill by striking out the same and inserting in place thereof the following:

2. *Takes Effect.* This act shall take effect as of January 5, 1955, except that part which applies to the custodian of mails of the House of Representatives which shall take effect as of January 2, 1957.

On motion of Mr. Tilton of Laconia, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 464, An Act relative to membership of the board of registrars for the city of Portsmouth.

Amend the bill by striking out the title of the bill and inserting in place thereof the following:

An Act relating to the number of lives covered by group life insurance.

Further amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Group Life Insurance.* Amend paragraph (1) (c) of section 14-a of chapter 327 of the Revised Laws, as inserted

by chapter 175 of the Laws of 1947 (section 15, chapter 408, RSA), by striking out the figure "25" where it appears in said paragraph and substituting in place thereof the figure, 10, so that said paragraph as amended shall read as follows: 14-a. (1) (c) The policy must cover at least 10 employees at date of issue.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Carr of Orford, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 526, An Act relative to the distribution of copies of the Revised Statutes Annotated to members of the General Court.

Amend paragraph I of section 1 of said bill by striking out the same and inserting in place thereof the following:

I. One copy of said special edition to each member of the general court who shall make application in writing, accompanied by a fee of five dollars, to the secretary of state therefor on or before September 1, 1955, provided that if said member shall desire the official bound copy he may have the same instead of the special edition upon payment of the difference in cost between the two editions.

Amend section 2 of said bill by striking out the word "twelve thousand dollars, or as much as may be necessary" and inserting in place thereof the words, eighteen thousand dollars or so much of said sum as may be necessary, so that said section as amended shall read as follows:

2. *Appropriation.* There is hereby appropriated the sum of eighteen thousand dollars or so much of said sum as may be necessary, to be expended by the secretary of state for the purchase and binding of the special edition of Revised Statutes Annotated as provided in section 1. The governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

On motion of Mr. Scamman of Stratham the House concurred in the adoption of the amendments sent down from the Honorable Senate.



The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 379, An Act relative to service exemption for veterans.

Amend section 1 of said bill by adding after the word "dollars" in the twentieth line thereof the words, and provided further that the resident qualified for exemption, excepting those with a service-connected disability, shall not be delinquent in the payment of any taxes due the state of New Hampshire or any political subdivision thereof, so that said section as amended shall read as follows:

1. *Veterans' Taxation.* Amend section 29 of chapter 73 of the Revised Laws as amended by chapter 174, Laws of 1943, chapter 4, Laws of 1944, chapter 240, Laws of 1947, section 1, chapter 167, Laws of 1949 and by section 1, chapter 132, Laws of 1951 (chapter 72, RSA), by striking out said section and inserting in place thereof the following: 29. *Service Exemption.* Every resident of this state who served not less than ninety days in the armed forces of the United States in any of the following wars or armed conflicts, the Spanish War, Philippine Insurrection, Boxer Rebellion, World War I, World War II, or Korean Conflict, as hereinafter defined who have been discharged or separated therefrom under conditions other than dishonorable or the spouse of such resident, or the widow of such resident, and every resident, or the spouse of such resident, whose services were terminated for a service-connected disability, and the widow of any resident who suffered a service-connected death, in consideration of such service, shall be exempt each year from taxation upon his or her residential real estate, to the value of one thousand dollars, provided the value of such residential real estate in this state as assessed by the selectmen does not exclusive of bona fide encumbrances of record thereon, exceed five thousand dollars, and provided further that the resident qualified for exemption, excepting those with a service connected disability, shall not be delinquent in the payment of any taxes due the state of New Hampshire or any political subdivision thereof. The following terms as used in this section shall be construed as follows:

(1) "Spanish War" between April 21, 1898 and April 11, 1899.

(2) "Philippine Insurrection" between April 12, 1899 and July 4, 1902 extended to July 15, 1903 for the Moro Provinces.

(3) "Boxer Rebellion" between June 16, 1900 and May 12, 1901.

(4) "World War I" between April 6, 1917 and November 11, 1918 extended to April 1, 1920 for service in Russia, provided that reenlistment in military or naval service on or after November 12, 1918 and before July 2, 1921 where there was prior service between April 6, 1917 and November 11, 1918 shall be considered as World War I service.

(5) "World War II" between December 7, 1941 and December 31, 1946.

(6) "Korean Conflict" between June 25, 1950 and July 27, 1953.

Amend section 4 of said bill by adding at the end thereof the following words, and shall include a house trailer if used for said purpose, so that said section as amended shall read as follows:

4. *Residence.* Amend section 29-g of chapter 73 of the Revised Laws as inserted by chapter 240 of the Laws of 1947 (chapter 72, RSA) by striking out said section and inserting in place thereof the following: 29-g. *Definitions.* I. The word "resident" as used in section 29 shall mean a person who has resided in this state for at least six months preceding April 1, in the year in which exemption is claimed. II. The term "residential real estate" for the purposes of sections 29 to 29-h, inclusive shall mean the real estate which the person qualified for an exemption thereunder occupies as his principal place of abode together with any land or buildings appurtenant thereto and shall include a house trailer if used for said purpose.

On motion of Mr. Chase of Dover, the rules were suspended and reading of the amendment dispensed with.

On motion of Mr. Black of Bennington the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 204, An Act providing for the development of Concord Lake project.

Amend section 1 of said bill by striking out the words "At least two of the total number of members shall be resident owners of land under study by the commission as submerged or littoral areas" so that said section as amended shall read as follows:

1. *Concord Lake Study Commission.* There is hereby directed to be created a commission to consist of seven members, of whom at least three shall be from Concord and two from Bow, to be appointed by the governor with the advice and consent of the council, and to be known as the Concord Lake Study Commission. The members of the commission originally appointed shall hold office until August 1, 1957 at which time this commission shall be terminated. If any vacancy shall occur in the membership of the commission prior to such date it shall be filled by appointment of the governor with the advice and consent of the council for the remainder of the unexpired term. Commission members shall serve without pay except that they shall be reimbursed for their actual expenses while engaged in the business of the commission from the voluntary contributions hereinafter authorized to be solicited.

Amend section 2 of said bill by inserting after the first sentence the following: The commission may also study other locations in the vicinity which might be suitable for the creation of such a lake, so that said section as amended shall read as follows:

2. *Duties of the Commission.* The commission shall study the feasibility of constructing on Turkey River in Concord at a point westerly of St. Paul's school, a dam, the crest of the spillway of which shall not exceed an elevation of three hundred forty feet above sea level for the purpose of creating an artificial body of water suitable for recreational and other public uses to be known as Concord Lake. The commission may also study other locations in the vicinity which might be suitable for the creation of such a lake. The commission shall make studies of the various public uses which such a body of water could serve; and it shall cause to be made such studies as are necessary to determine whether the creation of the said Concord lake is physically and financially feasible, to determine the area of land necessary to be acquired to create the said Concord lake including the area of littoral land necessary or desirable to be acquired to fulfill the various public uses which

Concord lake might reasonably serve, to determine the revenue producing potentials of such areas of land as might be acquired and to determine whether such a facility can be constructed, operated and maintained under the direction of a state commission without appropriation of funds by the state or a pledge of the state's credit, by the sale of bonds secured by revenues expected to be earned from the lake facility and the properties thereof. The commission shall cause to be made all such studies as are reasonably necessary or desirable in the determination of the foregoing matters and matters reasonably incident thereto. The commission shall make a report to the governor and council of the results of the studies that it shall have made by November 1, 1956.

On motion of Mr. Hart of Laconia, the rules were suspended and reading of the amendment dispensed with.

On motion of Mr. Hart of Laconia, the House non-concurred in the adoption of the amendments sent down from the Honorable Senate, and a Committee of Conference appointed.

The Speaker appointed as members of such committee on the part of the House, Messrs. Hart of Laconia, Skinner of Alton, and Broadhurst of Franklin.

House Bill No. 167, An Act relative to expenditure of state funds on Class IV compact section highways.

Amend said bill by inserting after section 1 thereof the following new sections:

2. Amend section 4, part 1 of chapter 90 of the Revised Laws as inserted by chapter 188, Laws of 1945 and amended by chapter 30 of the Laws of 1951 by striking out said section and inserting in place thereof the following: 4. *Classification*. Highways of the state shall be divided into six classes as follows:

I. Class I highways shall consist of all existing or proposed highways on the primary state highway system, excepting all portions of such highways within the compact sections of cities or towns of thirty-five hundred inhabitants and over.

II. Class II highways shall consist of all existing or proposed highways on the secondary state highway system.

excepting all portions of such highways within the compact sections of cities or towns of thirty-five hundred inhabitants and over.

III. Class III highways shall consist of all recreational roads leading to, and within, state reservations designated by the legislature.

IV. Class IV highways shall consist of all highways within the compact sections of cities or towns of thirty-five hundred inhabitants and over. The compact section of any such city or town shall be the territory within such city or town where the frontage on any highway, in the opinion of the highway commissioner, is mainly occupied by dwellings or buildings in which people live, or business is conducted, throughout the year and not for a season only.

IV-a. The number of inhabitants for the determination of Class IV highways shall be those shown by the latest available federal census and where the classification of any highway under this section is dependent upon the number of inhabitants of a city or town such classification shall be changed in accordance with the changed population of such city or town as reported by said census; provided, that in towns where colleges or other institutions of higher learning are located and students residing within the town during the school year only, have been included in the federal census figures, the commissioner of public works and highways shall deduct from the federal census figures the number of such students as shown by a signed statement by the head of the college or other institution of higher learning.

V. Class V highways shall consist of all other traveled highways which the town has the duty to maintain regularly, and shall be known as town roads.

VI. Class VI highways shall consist of all other existing public ways, and shall include all highways discontinued as open highways and made subject to gates and bars, and all highways which have not been maintained and repaired by the town in suitable condition for travel thereon for five successive years or more.

3. *Aid for Town Highways.* Amend section 2, part 13, chapter 90, of the Revised Laws, as inserted by chapter 83,



Laws of 1951 and amended by chapter 31, Laws of 1953 (section 2, chapter 241, RSA) by striking out the words "twenty-five" in the nineteenth line thereof and inserting in place thereof the words, thirty-five, so that said section as amended shall read as follows: 2. *Apportionment*. All funds available to cities, towns or unincorporated places pursuant to the provisions hereof shall be allotted by the commissioner of public works and highways upon the following basis: (a) *Apportionment A*. The commissioner shall apportion, on the basis of a sum of not less than nine hundred thousand dollars, to each city, town and unincorporated place, an amount based on the proportion which the mileage of the regularly maintained Class IV and Class V highways in that city, town or unincorporated place, as of January 1st of the previous year, bears to the total mileage of the regularly maintained Class IV and Class V highways in the state as of that date. Any city or town issuing bonds or long term notes to accelerate the improvement of its Class IV and Class V highways may apply any part of the funds herein apportioned, for a period not to exceed five years or with the approval of the commissioner for a period not to exceed ten years, to aid in the retirement of such bonds or notes: (b) *Apportionment B*. The commissioner shall apportion to each city and town of thirty-five hundred inhabitants and over, one thousand dollars per mile for the mileage of Class IV highways which are urban extensions of Class I and Class II highways. If the projects submitted are eligible for federal assistance, this apportionment must be used to match any federal funds which may be available to the applicant city or town. Any city or town issuing bonds to accelerate the improvement of arterial routes within its compact area may apply any part of the funds herein apportioned, for a period not to exceed ten years, to aid in the retirement of such bonds: (c) *Apportionment C*. The commissioner shall apportion to eligible cities or towns the amount of federal funds which are available for their use.

4. *Highways: Regulation*. Amend section 1 of part 19 of chapter 90 of the Revised Laws as inserted by chapter 188 of the Laws of 1945 (section 5, chapter 249, RSA) by striking out the words "twenty-five" in the third line thereof and inserting in place thereof the words, thirty-five, so that said section as amended shall read as follows: 1. *Regulation*.

The commissioner may regulate the use of Class I, Class II, and Class III highways in towns of less than thirty-five hundred population and in other towns outside the compact portion thereof as determined by him. He may establish stop intersections, erect stop signs, or other traffic devices or signals thereon or upon any highway entering therein.

Further amend said bill by renumbering section 2 to read section 5.

On motion of Mr. Perley of Lebanon, the rules were suspended, reading of the amendment dispensed with.

Mr. Rogers of Laconia moved that the House non-concur in the amendments sent down from the Honorable Senate and asked that a Committee of Conference be appointed.

The question being on the motion.

Messrs. Rogers of Laconia and Perley of Lebanon spoke in favor of the motion.

Mr. Rhodes of Walpole spoke against the motion.

On a *viva voce* vote, the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Messrs. Rogers of Laconia, Perley of Lebanon and Mulaire of Hooksett.

House Bill No. 271, An Act to equalize educational opportunities and to improve the public elementary and high schools of New Hampshire.

Amend section 1 of the bill by striking out in said section the words "equalized valuation" wherever they appear and inserting in place thereof the words, adjusted valuation, except as provided in section 11.

Amend section 10, subsection a of chapter 140 of the Revised Laws as inserted by section 1 of said bill by striking out in line 5 the word "fourteen" and inserting in place thereof the word, thirteen.

Further amend said section by striking out the following sentence "as may be required to carry out the purposes of this act and to equitably distribute sums appropriated for foundation aid, the local effort shall be subject to adjustment annually by the State Board of Education, prior to the computation of foundation aid."

Amend section 11 of chapter 140 of the Revised Laws as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

11. *Allocation and Proration of Funds.* If in any year the amount appropriated for distribution as foundation aid shall be insufficient to distribute foundation aid in accordance with the provisions of section 10-a, the state board of education, except as hereinafter provided, shall reduce by proration the amount of foundation aid to be paid to each school district qualifying therefor. Provided that in any town where the total tax rate shall be four dollars or more per one hundred dollars of valuation based on 100% valuation as equalized by the Tax Commission, the state board shall not reduce by proration the amount of foundation aid to the school district of said town.

So that said section as amended shall read as follows:

10. *Kind of State Aid.* To carry out the provisions of sections 8 and 9, aid termed "Foundation Aid" is hereby adopted as follows:

a. *Foundation Aid.* To more nearly provide equal public school educational opportunity throughout the state, each school district qualifying therefor shall receive annually an amount equal to the remaining costs of the required programs of public elementary and high school education over and above the proceeds of a tax of thirteen dollars per thousand dollars of adjusted valuation (hereinafter called the "Local Effort"), of each district. For the purpose of this act the cost of the required programs shall be two hundred dollars annually for each elementary school pupil and three hundred dollars annually for each high school pupil in average daily membership in approved public schools.

If a district receives from local taxation for school purposes during the fiscal year previous to the year of computation of foundation aid a sum less than the amount of the local effort required of that district, its foundation aid shall be reduced by an amount equal to the difference between the local effort and the amount received from local taxation for school purposes.

b. *Time of Computation.* Between October first and December thirty-first in each year the state board of education shall cause to be computed the amount of foundation aid to

be paid to eligible school districts in the succeeding fiscal year. The computation shall be based upon the most recently available adjusted valuation of each school district and the average daily membership in approved public schools in each school district for the preceding year. Whenever it shall appear or be made to appear to the tax commission that circumstances have so changed in any school district from one year to another that the use of the most recently available adjusted valuation is unfair, unjust or inequitable, the tax commission shall determine what changes or modifications shall be made in the adjusted valuation of such district. The tax commission shall certify such changed adjusted valuation to the state board of education by October first. The state board of education shall use such changed adjusted valuation in computing the foundation aid to which such district is entitled.

c. *To Whom Paid.* Foundation aid shall be paid to the school district legally responsible for the education of the pupils who attend approved public schools within the district or in other districts, as the case may be. Payment of foundation aid shall be made on or before January fifteenth in the fiscal year for which such aid is due.

11. *Allocation and Proration of Funds.* If in any year the amount appropriated for distribution as foundation aid shall be insufficient to distribute foundation aid in accordance with the provisions of section 10-a, the state board of education, except as hereinafter provided, shall reduce by proration the amount of foundation aid to be paid to each school district qualifying therefor. Provided that in any town where the total tax rate shall be four dollars or more per one hundred dollars of valuation based on 100% valuation as equalized by the Tax Commission, the state board shall not reduce by proration the amount of foundation aid to the school district of said town.

12. *Unexpended Appropriation.* Any amounts not distributed in the first year of any biennium may be distributed in the second year, if required to distribute the maximum amount permissible under the provisions of section 10.

13. *Adjusted Valuation.* The adjusted valuation of a school district is the adjusted valuation of the city or town of which it is composed, as computed by the state tax commission; and in a city or town comprising more than one school

district the adjusted valuation of any school district shall be such fraction of the adjusted valuation of the whole city or town as the assessed valuation of the school district is of the assessed valuation of the whole city or town.

On motion of Mr. Vaughan of Newport, the rules were suspended, reading of the amendments dispensed with.

Mrs. DeLude of Unity moved that the House concur in the Senate amendments.

The question being on the motion.

Mrs. DeLude of Unity spoke in favor of the motion.

Mr. Pillsbury of Manchester spoke against the motion.

On a *viva voce* vote, the motion did not prevail.

Mr. Angus of Claremont moved that the House non-concur in the Senate amendments and asked that a Committee of Conference be appointed.

On a *viva voce* vote, the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Messrs. Stearns of Durham, Vaughan of Newport, and Mrs. DeLude of Unity.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following joint resolutions, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Joint Resolution No. 10, Joint Resolution in favor of the New Hampshire Veterans' Association.

Amend the joint resolution to read as follows:

*That* the sum of fifteen hundred (\$1500) dollars for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957, are hereby appropriated for the New Hampshire Veterans' Association for the purpose of repairs and maintenance of the buildings and grounds of said Association at the Weirs. The Governor is authorized to draw his warrant for the sums hereinabove appropriated out of any money in the treasury not otherwise appropriated.

On motion of Mr. Chase of Dover the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.



House Joint Resolution No. 43, Joint Resolution relative to interim committee to study senatorial districts.

Amend the joint resolution by striking out all after the enacting clause and inserting in place there the following:

*That* the Governor shall appoint a special committee of five members, three from the membership of the Senate and two from the membership of the House of Representatives who shall study the problems of the senatorial districts in order to re-district the same in accordance with the Constitution. The Tax Commission is hereby directed to obtain for this Committee the adjusted valuation of property in any town or city ward which may be necessary.

The Committee shall use the latest valuation available. Said Committee shall prepare legislation for re-districting the senatorial districts and shall submit the same to the 1957 legislature. Said Committee shall receive ten dollars per day and expenses and mileage at the legislative rate of payment. The expenses of the special Committee hereunder and the expenses of the State Tax Commission in obtaining information shall be a charge on the general funds and the Governor is authorized to draw his warrant for the same out of any money not otherwise appropriated.

On motion of Mr. Kelley of Littleton the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.

House Joint Resolution No. 27, Joint Resolution to continue and extend the study of groundwater resources within the state.

Amend the Joint Resolution by striking out the word "commission" in line 3 and inserting in place thereof the word, board, so that said Joint Resolution as amended shall read as follows: That the water resources board is hereby authorized and directed to continue and extend the survey and investigations of the groundwater resources of New Hampshire. To this end, the board is authorized to enter into contracts with the United States Geological Survey. The findings of such surveys shall be made available to the public by means of maps or printed matter to be published or maintained in open file for reference.

The sum of five thousand dollars each year is hereby appropriated for the next biennium, for the conduct of this survey and investigation, this sum to be matched by federal funds, and the governor is hereby authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated. The amount appropriated for the first fiscal year shall not lapse.

On motion of Mr. Scamman of Stratham, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The joint resolution was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed bills with the following titles, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 129, An Act relative to powers of the superior court on immunity of witnesses.

Senate Bill No. 134, An Act granting the attorney general subpoena power in certain cases.

Senate Bill No. 131, An Act relative to weight of certain combination vehicles and semi-trailers.

Senate Bill No. 132, An Act relative to the discharge or removal of county employees.

Senate Bill No. 135, An Act legalizing the annual school district meeting of the Litchfield school district.

### Senate Bills Read and Referred

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

Senate Bill No. 129, An Act relative to powers of the superior court on immunity of witnesses. To the Committee on Judiciary.

Senate Bill No. 131, An Act relative to weight of certain combination vehicles and semi-trailers. To the Committee on Transportation.

Senate Bill No. 132, An Act relative to the discharge or removal of county employees. To the Committee on Judiciary.

Senate Bill No. 134, An Act granting the attorney general subpoena power in certain cases. To the Committee on Judiciary.

Senate Bill No. 135, An Act legalizing the annual school

district meeting of the Litchfield school district. To the Committee on Executive Departments and Administration.

On motion of Mr. Vaughan of Newport the rules were so far suspended as to dispense with reference to committee of Senate Bill No. 135, An Act legalizing the annual school district meeting of the Litchfield school district, and allow the third reading and final passage, by title only, at the present time.

The bill was read a third time and passed and sent to the Secretary of State to be engrossed.

### Resolution

Mr. Lovejoy of Salisbury offered the following resolution:

*Whereas*, Fred W. Holmes of Salisbury, has passed away, and

*Whereas*, he was a former Representative from Salisbury, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the New Hampshire General Court, hereby pay tribute to our former member for his services to his town and state, and extend our sympathy to his family in its bereavement, and be it further

*Resolved*, That the Clerk of the House send a copy of these resolutions to the widow, Mrs. Holmes.

On a *viva voce* vote, the resolution was adopted.

### Committee Reports

Mr. Bell of Plymouth, for the Committee on Appropriations, to whom was referred House Bill No. 517, An Act making appropriations for capital improvements and long term repairs for the State of New Hampshire, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out sections 1 and 2 and inserting in place thereof the following:

1. *Appropriation.* The sum of one million one hundred fifty-three thousand six hundred dollars is hereby appropriated for the purpose of capital improvements and long term repairs, which purpose includes such related improvements,

facilities, equipment and furnishings as are necessary to complete the same. The estimated costs for the projects are as follows:

I. Soldiers' Home:		
Sprinkler pressure tank		\$6,500.00
II. State Sanatorium:		
Electric power generator —	\$30,000.00	
1 diesel unit and tie-in for control station.		
Sprinkler — Brown infirmary	19,000.00	
Water supply	10,000.00	
Infirmary elevator and controls	9,000.00	
Plot and utility plans	2,500.00	
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Total appropriation		70,500.00
III. Industrial school:		
Roads	\$4,000.00	
Riverview cottage rewiring	1,500.00	
Drainage	1,000.00	
Steam line extension	16,500.00	
Boys cottage —		
Construction	84,000.00	
Furnishings	20,000.00	104,000.00
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Total	127,000.00	
Less land fund	36,500.00	
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Total net appropriation		90,500.00
IV. State prison:		
Boiler repairs	\$40,000.00	
Remodel kitchen and vegetable room and relocate toilets	4,000.00	
Repairs to north wall	4,000.00	
Snow guards	2,000.00	
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Total appropriation		50,000.00

## V. Laconia state school:

*Rehabilitate Floyd, Keyes, Quimby, McLane and Baker buildings	\$135,000.00
Sprinklers for Felker, McLane, Baker, Keyes and Blood buildings	53,000.00
Complete and furnish new cottages	36,000.00
Repairs — administration building and fire boxes	3,600.00
Plot plan	1,500.00
Remodeling of space for defective delinquents	60,000.00
Total appropriation	289,100.00

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\* The amount of \$135,000.00 is to provide complete rehabilitation as specified.

## VI. State hospital:

Power plant improvements	\$14,000.00
Cafeteria — Walker building	20,000.00
Laundry equipment	32,500.00
Sprinkler — Walker building	82,000.00
Total appropriation	148,500.00

## VII. State library:

Heating improvements	\$5,000.00
Archives	4,000.00
Total appropriation	9,000.00

## VIII. Adjutant general:

Manchester armory	\$41,000.00
Dover armory	12,500.00
Total appropriation	53,500.00

## IX. Department of education:

Manchester technical institute roof repairs	\$12,000.00
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Plymouth teachers' college—	
furnishings for new building	25,000.00
Remodel kitchen—Mary Lyon	10,000.00
Water—Hall dormitory	5,000.00
Parking area	5,000.00
Keene Teachers' college	
Repairs home economic building	3,500.00
Vocational building addition	
ready for occupancy	350,000.00
Repairs—Huntress hall and	
Fiske	5,000.00
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Total appropriation	415,500.00
X. Water Resources board:	
Long term repairs for Pawtuckaway	
and Mendum Ponds	18,000.00
XI. State house and grounds:	
New office space for appropriations	
committee	2,500.00
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Total appropriation	\$1,153,600.00

2. *Recreation Division.* The sum of three hundred seventy one thousand four hundred fifty dollars is hereby appropriated for the recreation division as follows:

Recreation division:

Franconia tramway—new	
track cable	\$75,000.00
Preservation of Great Stone Face	1,000.00
Sewage disposal	10,000.00
Flume area	4,100.00
Toilets for Mt. Sunapee beach	
area	31,350.00
For acquisition of land	
at Spofford Lake	\$120,000.00
For improvements to	
same	130,000.00
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	250,000.00
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Total appropriations	\$371,450.00

Further amend said bill by inserting after section 2 the following new section:

3. *Governor and Council.* There is hereby appropriated the sum of two hundred and fifty-five thousand dollars to be expended by the governor and council as follows:

I. For remodeling of office space  
for state departments in the  
state house and annex, and  
for purchase of additional  
property for housing state  
departments if such pur-  
chase shall be deemed by  
the governor and council to  
be in the interest of the state \$250,000.00

II. For a survey of the top of Mt.  
Washington 5,000.00

Total appropriation	<hr/> \$255,000.00
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Further amend said bill by renumbering sections 3 and 4 to read 4 and 5.

Further amend said bill by striking out section 5, renumbering the same to read section 6 and inserting in place thereof the following:

6. *Borrowing Power.* To provide funds for the appropriations made by section 1 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of one million, one hundred fifty-three thousand, six hundred dollars; to provide funds for the appropriations made by section 2 hereof not exceeding the sum of three hundred seventy-one thousand four hundred fifty dollars; and to provide funds for the appropriations made by section 3 hereof the sum of not exceeding two hundred fifty-five thousand dollars and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturities, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed

by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

Amend section 6 of said bill by renumbering and by striking out said section and inserting in place thereof the following:

7. *Payments.* The payments of principal and interest on bonds and notes issued for the projects in sections 1 and 3 shall be made when due from the general funds of the state. The payment of principal and interest on bonds and notes issued for the projects in section 2 shall be a charge upon the state recreational fund established under section 17-a, chapter 234, Revised Laws.

Amend section 7 of said bill by renumbering and by striking out said section and inserting in place thereof the following:

8. *Proceeds from Sale.* The proceeds of the sale of said bonds or notes authorized by section 6 shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of sections 1, 2 and 3 alone. The governor, with the advice and consent of the council, shall draw his warrants for the payments from the funds provided for herein of all funds expended or due for the purposes herein authorized.

Further amend said bill by inserting after section 7 as renumbered section 8 the following new sections:

9. *Continuation of Reimbursements on Account of Timbers Tax.* For the purpose of providing additional funds for the reimbursement for losses in tax revenue sustained by the exemption of growing wood and timber from taxation under the provisions of chapter 79-A of the Revised Laws as inserted by chapter 295 of the Laws of 1949 and as amended by section 6, chapter 12 of the Laws of 1951, there is hereby appropriated, in addition to any sums previously appropriated for the purpose the additional sum of three hundred fifty thousand dollars. The funds hereby appropriated shall be available for distribution for tax losses incurred during the tax years 1954 and 1955 and shall be deposited in the reimbursement fund established under said chapter 79-A.

10. *Bonds Authorized.* To provide funds for the appropriation provided by section 9 the state treasurer is hereby

authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not to exceed three hundred fifty thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. The governor and council shall determine the form of such bonds or notes, the rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid, and the time or times of issue. Such bonds shall be signed by the treasurer and countersigned by the governor. The treasurer may negotiate and sell such bonds or notes under the direction of the governor and council in such manner as they may deem to be most advantageous to the state. Out of the proceeds of the sale of said bonds or notes the governor is authorized to draw his warrant for the sum appropriated by section 9 for the purpose of section 9 only.

11. *Timber Tax Reimbursement.* Amend chapter 242 of the Laws of 1953 (section 14, chapter 79, RSA) by striking out sections 1 and 2 thereof and inserting in place thereof the following: 1. *Reimbursement Fund Created.* There is hereby appropriated the sum of \$350,000.00, to be raised in the manner hereinafter provided, which sum shall be a reimbursement fund for the reimbursement for losses in tax revenue sustained by the exemption of growing wood and timber from taxation under the provisions of chapter 79-A of the Revised Laws or inserted by chapter 295 of the Laws of 1949 and as amended by section 6, chapter 12 of the Laws of 1951. Any balance left in said reimbursement fund shall not lapse but shall be carried forward to be used for the purpose originally established. To provide funds for the appropriation provided herein the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not to exceed three hundred fifty thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. The governor and council shall determine the form of such bonds or notes, the rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid, and the time or times of issue. Such bonds shall be signed by the Treasurer and countersigned by the governor. The treasurer may negotiate and sell such bonds or notes under the direction of

the governor and council in such manner as they may deem to be most advantageous to the state. Out of the proceeds of the sale of said bonds or notes the governor is authorized to draw his warrant for the sum hereinbefore appropriated for the purpose of this act only.

Amend sections 8 and 9 of said bill by renumbering and by striking out the same and inserting in place thereof the following:

12. *Accounts.* The secretary of state shall keep an account of all bonds or notes authorized hereunder countersigned by the governor, showing the number and amount of each bond or note, the time of countersigning, the date of delivery to the treasurer and the date of maturity. The state treasurer shall keep an account of each bond or note showing the number thereof, the name of the person to whom sold, the amount received for the same, the date of the sale and the date of maturity.

13. *Short Term Notes.* Prior to the issuance of the bonds or notes hereunder, the treasurer, under the direction of the governor and council, may for the purpose hereof borrow money from time to time on short term loans, which may be refunded by the issuance of the bonds or notes hereunder. Provided, however, that at no one time shall the indebtedness of the state on short term loans exceed the following sums: (1) Not exceeding the sum of one million one hundred fifty-three thousand, six hundred dollars; for borrowing to provide funds for the purposes of section 1; (2) not exceeding the sum of three hundred seventy-one thousand four hundred fifty dollars for borrowing to provide funds for the purposes of section 2; (3) not exceeding the sum of two hundred and fifty-five thousand dollars for borrowing to provide funds for the purposes of section 3; (4) not exceeding the sum of three hundred fifty thousand dollars for borrowing for purposes of section 9 and (5) not exceeding the sum of three hundred fifty thousand dollars for borrowing for the purposes of section 11.

Amend section 10 of said bill by renumbering the same to read section 14.

Further amend said bill by inserting after section 10, as renumbered section 14 the following new sections:



15. *Public Works.* The department of public works and highways shall keep an accurate breakdown of all department charges, including consultative conferences, on all projects provided for by this act.

16. *Request for Appropriations.* Amend section 4 of chapter 23 of the Revised Laws (section 4, chapter 9 RSA) by striking out said section and inserting in place thereof the following: 4. *Requests for Appropriations.* On or before October first next prior to each biennial legislative session, all departments of the state shall transmit to the comptroller, on blanks to be furnished by him, estimates of their expenditure requirements for each fiscal year of the ensuing biennium, classified so as to distinguish between expenditures estimated for (a) administration, operation, and maintenance, and (b) the cost of each project involving the purchase of land or the making of a public improvement or capital outlay of a permanent character. Requests for capital appropriations as specified in (b) above shall be accompanied by the following data: (1) Preliminary drawings and estimates prepared by a qualified architect or engineer; (2) the approval of such preliminary drawings by the department of public works and highways and of the governor and council; (3) cost of preliminary planning; (4) estimates of capital cost including land, if any; (5) estimates of furnishings and equipment, if any; (6) allowances for contingencies; (7) consultant's fees and (8) fees to department of public works and highways, including consultation fees and clerk of works. When a department shall present requests for more than one capital appropriation there shall also be submitted a preference schedule and a time schedule to show when projects should be constructed. The information contained in the requests for capital appropriations shall be reproduced and submitted to the appropriations and finance committees of the legislature for their information when the budgets are submitted.

Further amend said bill by renumbering section 11 to read section 17.

Reading of the amendment having commenced, on motion of Mr. Scamman of Stratham, further reading of the amendment was dispensed with.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote, the amendment was adopted and the bill ordered to a third reading.

On motion of Mr. Scamman of Stratham the rules were suspended to allow the third reading and final passage by title only, at the present time, of House Bill No. 517, An Act making appropriations for capital improvements and long term repairs for the State of New Hampshire.

The bill was read a third time and passed and sent to the Senate for concurrence.

On motion of Mr. Wadleigh of Milford, the House adjourned from the morning session.

### Afternoon

The House was immediately called to order in afternoon session.

Mr. Wadleigh of Milford moved that when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

On motion of the same member at 4:00 o'clock the House adjourned.

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### WEDNESDAY, JULY 27, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O Lord Jesus Christ, Who said to the people of Thy day: "Except ye see signs and wonders, ye will not believe," help us to find Thee in the usual and commonplace activities and experiences of life. If our religious experience has lost its meaning, and we think we have lost sight of Thee, because nothing spectacular happens, remind us that we may, and should, find Thee in the performance of the menial duties of each day. We find Thee in the quiet of our daily task. O Lord, how frequently we fail to sense Thy presence because there is nothing spectacular. We read that "God walked in the garden," and Thou didst work at the carpenter's bench. May we ever be conscious of the fact that no task is commonplace if in it we find Thee. Through the same Jesus Christ our Lord. Amen.

### **Salute to the Flag**

Mr. Buckley of Mont Vernon led the convention in the salute to the flag.

### **Piano Recital**

The Speaker introduced James L. Wadleigh, a student at Harvard University, and the grandson of Mr. Wadleigh of Milford, who gave a piano recital under the direction of Mr. Bouvier of Swanzey.

The convention gave Mr. James L. Wadleigh a rising vote of thanks.

### **Leave of Absence**

Mrs. Hayward of Hanover was granted leave of absence for the remainder of the session on account of important business.

### **Notice of Reconsideration**

Mr. Bloomfield of Claremont served notice that he would move to reconsider the vote, today, whereby the House passed House Bill No. 517, An Act making appropriations for capital improvements and long term repairs for the State of New Hampshire.

### **Motion to Suspend Rules**

Mr. Ecker of Manchester moved that the rules be so far suspended as to allow the introduction of a bill.

The question being on the motion.

(Discussion ensued)

Mr. Ecker of Manchester spoke in favor of the motion.

Messrs. Pickett of Keene and Pillsbury of Manchester spoke against the motion.

### **Speaker's Ruling**

The Speaker read rule 50, relative to the requirement of a two-thirds vote of the members present to suspend the rules.

The Speaker called for a division.

A division being had, 38 members having voted in the affirmative, and 182 members having voted in the negative, and less than two-thirds of the members having voted in the affirmative, the motion did not prevail.

### Committee Reports

Miss Bailey of Newport, for the Committee on Appropriations, to whom was referred Senate Bill No. 130, An Act relative to transfer of diagnostic laboratories to the state hospital, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Belcourt of Nashua, for the Committee on Appropriations, to whom was referred House Bill No. 113, An Act to provide additional accommodations on public recreational areas, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act providing for a study and establishment of recreational areas in the Lake Winnepesaukee region.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Commission Established.* There shall be a commission of six members appointed as follows whose duty it shall be to make a study of the Lake Winnepesaukee area with a view to the establishment of state parks on Lake Winnepesaukee for additional recreational facilities for the public. Three members of said commission shall be designated by the speaker of the House of Representatives, two members shall be designated by the president of the Senate and one member shall be designated by the governor. Said commission shall make a report to the governor with its recommendations for sites for said parks and the cost thereof.

2. *Compensation.* The members of said commission shall serve without pay but shall be reimbursed for mileage and actual expenses incurred when on business of the commission.

3. *Appropriation.* The sum of two thousand five hundred dollars is hereby appropriated for the expenses of the commission and the governor is authorized to draw his warrant for said sum out of any money in the treasury not otherwise appropriated.

4. *Further Appropriation.* The sum of two hundred and fifty thousand dollars is hereby appropriated for the purchase of sites for said recreational facilities at Lake Winnepesaukee and the governor, upon the recommendation of the commission, with the consent of the council, is hereby authorized to acquire the same. Not more than one hundred thousand dollars shall be paid for any one site and no site shall be nearer than eight shore miles from another. The power of eminent domain shall not be used in acquiring these sites.

5. *Bond Issue.* To provide funds for the appropriation provided by section 4 the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state a sum not to exceed two hundred fifty thousand dollars and for that purpose may issue bonds or notes in the name and on behalf of the state. The governor and council shall determine the form of such bonds or notes, the rate of interest, the dates when interest shall be paid, the dates of maturity, the places where principal and interest shall be paid, and the time or times of issue. Such bonds shall be signed by the treasurer and countersigned by the governor. The treasurer may negotiate and sell such bonds or notes under the direction of the governor and council in such manner as they may deem to be most advantageous to the state. Out of the proceeds of the sale of said bonds or notes the governor is authorized to draw his warrant for the sum appropriated by section 4 for the purposes of section 4 only.

6. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted.

The question being on the amendment.

Mr. Eldredge of Exeter rose to request the amendment be printed in the Journal, under Rule No. 48.

The Speaker then read Rule No. 48 to the House and ordered the amendment laid upon the table for printing.

Mr. Pillsbury of Manchester moved that Rule No. 48 be suspended to permit the amendment to be taken up at the present time.

On a *viva voce* vote the motion to suspend the rule did not prevail.

Mr. Urie of New Hampton called for a division, but subsequently withdrew his demand.



Mrs. Atwood of Sanbornton, for the Committee on Appropriations, to whom was referred Senate Bill No. 2, An Act relative to reimbursement to towns and cities for land taken by the United States for flood control, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and by inserting in place thereof the following:

1. *Permanent Reimbursement Policy for Real Estate Acquired for Flood Control Purposes.* Amend section 4, chapter 4, Revised Laws as amended by chapter 41, Laws of 1945, chapter 260, Laws of 1949 and chapter 128, Laws of 1953 (section 4, chapter 122, RSA), by striking out said section and inserting in place thereof the following: 4. *Reimbursement to Cities and Towns Authorized.* On or before the first day of October of each year, the state treasurer shall pay to each town and city in which any taxable real estate or interest therein has been acquired hereunder by the United States and thus become tax exempt for such year, a sum equal to the taxes which would have been assessed against said real estate or interest therein in such town or city if the same had been included in the list of taxable property for such year at an assessed valuation of the same determined as provided in this section. For land acquired by the United States hereunder, reimbursement shall be made upon a valuation determined as provided herein on a permanently continuing basis, and if growing wood and timber was taxable as real estate on the date of acquisition by the United States of the land on which it stood, it shall be deemed to be land hereunder. For all artificial improvements on land acquired by the United States hereunder, including buildings, structures and other artificial real estate fixtures of whatsoever kind and nature, reimbursement shall be made upon a valuation determined initially as provided herein and thereafter annually reduced by two and one-half per cent so that at the end of forty years reimbursement therefor shall have terminated. On land and improvements thereon acquired by the United States hereunder prior to or on April 1, 1955, the tax commission shall, prior to September 15, 1955, fix anew such separate valuations thereon, for purposes of reimbursement, as will make the same currently proportional with the assessed value of all other prop-

erty in the town or city which is subject to taxation; and the valuation of improvements thus determined shall thereafter be annually reduced over a forty-year period as above provided. On land and improvements thereon acquired by the United States hereunder after April 1, 1955, the initial assessed valuation of the same for purposes of reimbursement shall be the locally assessed valuation thereon for the tax year in which acquired as adjusted by the assessors and the tax commission acting as a joint board, so as to make such valuation proportional to the value of all other property in such town or city subject to taxation; and for purposes of this section the joint board may subdivide such assessment equitably between land and improvements thereon or between real estate acquired and that not acquired, if the official assessment was not thus subdivided; and the valuations of improvements thus determined shall thereafter be annually reduced over a forty-year period as above provided. On land, the valuations initially established as above provided in a town or city shall be reviewed by the tax commission at least once in every five years and more frequently if reasonably necessary and be changed as necessary to make them proportional with the assessed value of all other taxable property in such town or city. The amount of the reimbursement due to each town and city hereunder shall be determined by the tax commission and certified by it to the state treasurer on or before the fifteenth day of September of each year. The tax commission shall reduce the amount of reimbursement thus determined by any amount paid or due that town or city for that year by or from the United States, another state, an interstate flood control agency or other source, because of such loss of taxable valuation. The governor is authorized to draw his warrant for the payment of such reimbursements out of any money in the treasury not otherwise appropriated. Provided however, that reimbursement payments for loss of taxes on account of the acquisition of railroad or public utility property shall be reduced to the extent that such railroad or public utility property is relocated and reconstructed in the same town or city as a result of such acquisition, and thereby is included to that extent in the list of taxable property in said town or city as relocated.

2. *State Funds.* Amend section 6, chapter 4, Revised Laws (section 6, chapter 122, RSA), by striking out said

section and inserting in place thereof the following: 6. *Funding of Reimbursement.* The tax commission shall propose to each biennial session of the legislature an estimate of the full amount needed to make the reimbursements provided for in section 4 for the ensuing biennium. In the event that the amount appropriated in any biennium shall be insufficient, then the towns and cities entitled to benefits hereunder shall be reimbursed proportionately, unless otherwise subsequently ordered by the legislature.

3. *Takes Effect.* This act shall take effect upon its passage.

Reading of the amendment having commenced, on motion of Mr. Scamman of Stratham, further reading was dispensed with.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted, and the bill ordered to a third reading.

Mr. Davis of Hopkinton, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 34, Joint Resolution to provide for an investigation of the laws relating to tax exemption of real estate and personal property and to ascertain the total value of property in New Hampshire so exempted, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mrs. Hurlbert of Errol, for the Committee on Fish and Game, to whom was referred Senate Bill No. 25, An Act repealing the provisions of open season for the taking of beaver.

Having considered the same, reported the same with the following resolution:

*Resolved,* That it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Philbrick of Rye, for the Committee on Public Works, to whom was referred Senate Bill No. 127, An Act relative to the layout of limited access highways and to the Rye Water District.

Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 2 of the bill by striking out said section and inserting in place thereof the following:

2. *Rye Water District.* Amend sections 1 and 2 of chapter 394 of the Laws of 1947, as amended by section 2, chapter 364 of the Laws of 1949, section 4 of chapter 334 of the Laws of 1951 and section 11, chapter 351 of the Laws of 1953 by striking out said sections and inserting in place thereof the following: 1. *Authorization.* Rye Water District in the Town of Rye is hereby authorized to incur indebtedness in an amount not exceeding four hundred seventy thousand dollars (\$470,000.00), including the amount authorized by chapter 72 of the Revised Laws, for the purpose of purchasing or constructing, or both, and maintaining, extending and operating such water works system as it may deem necessary for municipal use and for the use of its inhabitants and others. 2. *Issuance of Bonds or Notes.* For the purpose and to the extent set forth in section 1 of this act, Rye Water District in the town of Rye is hereby authorized and empowered to issue serial notes or bonds in accordance with the remaining provisions of chapter 72 of the Revised Laws, as amended, except as hereinafter provided.

The report was accepted, the amendment adopted and the bill ordered to a third reading.

Mr. Sleeper of Haverhill, for the Committee on Transportation, to whom was referred Senate Bill No. 125, An Act relative to the operation of motor vehicles by minors under the age of eighteen years.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Brown of Loudon moved that the words, inexpedient to legislate, be substituted for the words, ought to pass.

The question being on the motion.

(Discussion ensued)

Messrs. Brown of Loudon, Rainie of Concord, Wadleigh of Milford, and Rathbone of Exeter spoke in favor of the motion.

Messrs. Sleeper of Haverhill, Pickett of Keene, and Lavoie of Manchester spoke against the motion.

Mr. Clement of Rochester moved that the bill be indefinitely postponed.

The question being on the motion.

Messrs. Clement of Rochester and Eldredge of Exeter spoke in favor of the motion.

Mr. Lavoie of Manchester spoke against the motion.

On a *viva voce* vote the motion prevailed.

### Reconsideration

Mr. Bloomfield of Claremont moved that the House reconsider its vote whereby it passed House Bill No. 517, An Act making appropriations for capital improvements and long term repairs for the State of New Hampshire.

The question being on the motion.

(Discussion ensued)

Mr. Bloomfield of Claremont spoke in favor of the motion.

Messrs. Pickett of Keene, Pillsbury of Manchester and Scamman of Stratham spoke against the motion.

The Speaker declared a five-minute recess.

### After Recess

Mr. Soucy of Manchester, Ward 1, rose on a point of information.

Mr. Scamman of Stratham rose to answer the point of information.

The question being on the motion to reconsider.

Mr. Soucy of Manchester, Ward 1, spoke in favor of the motion.

On a *viva voce* vote the motion to reconsider did not prevail.

### Vote Recorded

Mr. Soucy of Manchester, Ward 1, rose to be recorded as voting "yes" on the motion to reconsider, made by the member from Claremont, Mr. Bloomfield.

### Report of Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 295, An Act relative to re-examination of



holders of licenses to operate motor vehicles, having considered the same, report the same with the following recommendation:

That the Senate recede from its position in adopting its amendment, that the House recede from its position of non-concurrence in the Senate amendment, and that the following amendment be adopted:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Motor Vehicles, Licenses.* Amend chapter 117 of the Revised Laws (chapter 261, RSA) by inserting after section 2-a a new section as follows: 2-b. *Re-Examination.* Whenever information is presented to the commissioner which leads him to believe that reasonable doubt exists as to the qualifications of any licensee to operate a motor vehicle, the commissioner may order such licensee to obtain a written statement from a physician as to the fitness of said licensee to operate a motor vehicle. No license shall be issued or continued to any person who fails to present to the commissioner the written statement provided above or who, in said written statement, fails to satisfy the commissioner that he is fit to operate a motor vehicle.

ERALSEY C. FERGUSON,  
J. WESLEY COLBURN,

*Conferees on the Part of the Senate.*

HERBERT W. RAINIE,  
SAMUEL P. HADLEY,  
SCOTT F. EASTMAN,

*Conferees on the Part of the House.*

On motion of Mr. Rainie of Concord the report of the Committee of Conference was agreed to.

### Report of Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 349, An Act relative to hourly wage for employees, having considered the same, reported the same with the following recommendation:

That the House recede from its position of non-concurrence, that the Senate recede from its position in the adoption of its

amendments and that the House and Senate concur in the following amendments to the bill:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Minimum Wages.* Amend sections 25 and 26 of chapter 213 Revised Laws as inserted by chapter 310, Laws of 1949 and as amended by section 1, chapter 232, Laws of 1953 (sections 21 and 22, chapter 279 RSA) by striking out said sections and inserting in place thereof the following: 25. *Limitations.* No person, firm or corporation shall employ any employee at a rate of less than seventy-five cents per hour, provided that this limitation shall not apply to employees engaged in household labor, domestic labor, farm labor, outside salesmen, summer camps for minors, restaurants, hotels, inns and cabins; and provided this limitation shall not apply to employees engaged as newsboys or golf caddies, and this limitation shall not apply to employees of hospitals organized as non-profit corporations except as hereinafter provided. Further provided that no non-profit hospital corporation shall employ a laundry employee or nurse aide or practical nurse at a rate of less than seventy cents per hour, and no person, firm or corporation shall employ any employee as usher at a theatre or pin boy at a bowling alley, at a rate of less than sixty-five cents per hour.

26. *Special Authorization in Certain Cases.* A person with less than six months' experience in an occupation, or a person whose earning capacity is impaired by age, or physical or mental deficiency, may be paid not less than sixty-five cents per hour upon application to and authorization from the commissioner of labor.

Renumber section 3 to read section 2.

GEORGE W. ANGUS,  
DOROTHY L. WENTWORTH,  
CORNELIUS M. BROSNAHAN,

*Conferees on the Part of the House.*

OTTO G. KELLER,  
LAURIER LAMONTAGNE,

*Conferees on the Part of the Senate.*

On motion of Mr. Angus of Claremont the report of the Committee of Conference was agreed to.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill sent up from the House of Representatives:

House Bill No. 363, An Act relative to pedestrians and to dimming lights on motor vehicles, and trailer break-away safety chains on trailers.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bills:

House Bill No. 167, An Act relative to expenditures of state funds on Class IV compact section highways.

Pursuant to the above, the President appointed as members of such committee on the part of the Senate, Senator Packard, District No. 16 and Senator Ferguson, District No. 14.

House Bill No. 271, An Act to equalize educational opportunities and to improve the public elementary and high schools of the State.

Pursuant to the above, the President appointed as members of such committee on the part of the Senate, Senator McMeekin, District No. 3 and Senator Adams, District No. 22.

House Bill No. 204, An Act providing for the development of Concord Lake Project.

Pursuant to the above, the President appointed as members of such committee on the part of the Senate, Senator Ferguson, District No. 14 and Senator Powell, District No. 9.

House Bill No. 349, An Act relative to hourly wages for employees.

Pursuant to the above, the Chair appointed as members of such committee on the part of the Senate, Senator Keller, District No. 6, and Senator Lamontagne, District No. 1.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 540, An Act authorizing the Merrimack Village District to issue bonds or notes and relating to appeals and appearances before municipal courts.

Amend the title of said bill by inserting at the end thereof the words, and relative to appeals and appearances before municipal courts, so that said title as amended shall read as follows: An Act authorizing the Merrimack village district to issue bonds or notes, and relative to appeals and appearances before municipal courts.

Amend said bill by inserting after section 4 the following new sections:

5. *Appeals.* Amend section 5 of chapter 425 of the Revised Laws (section 4, chapter 599 RSA) by striking out the words "shall add to the costs fees for the copies sent to the clerk, fifty cents for the clerk's certificate, and fifty cents for recording it," in the third line and by striking out the words "with such increased costs" in the fourth line so that said section as amended shall read as follows: 5. *Enforcing Original Sentence.* The justice shall record such certificate, and he shall issue a mittimus or other process to carry into effect the original sentence.

6. *Police Officers.* Amend section 23 of chapter 360 of the Revised Laws (section 25, chapter 104 RSA) by striking out all after the word "marshal" in the second line and inserting in place thereof the words, shall appear in any court or before a justice as attorney for any party in a civil proceeding or for a respondent in any criminal proceeding, so that said section as amended shall read as follows: 23. *Not to be Attorney.* No sheriff or deputy sheriff, police officer, constable or city marshal shall appear in any court or before a justice as attorney for any party in a civil proceeding or for a respondent in any criminal proceeding.

Further amend said bill by renumbering section 5 to read section 7.

Mr. Rainie of Concord moved that the House non-concur in the amendments sent down from the Honorable Senate and that a Committee of Conference be appointed.

The question being on the motion.

Messrs. Rainie of Concord and Soucy of Manchester, Ward 1, spoke in favor of the motion.

On a *viva voce* vote, the motion prevailed, and the Speaker appointed as members of such committee on the part of the

House, Messrs. Rainie of Concord, Hadley of Hillsborough, and Pickett of Keene.

The message also announced that the Senate had passed bills with the following titles, and a resolution with the following caption, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 136, An Act making appropriations for the expenses of the State of New Hampshire for the month of August, 1955.

Senate Joint Resolution No. 8, Joint Resolution in favor of Harry L. Hurlbert.

Senate Bill No. 120, An Act increasing registration fees for motor vehicles of heavy weights.

### Senate Bills Read and Referred

The following Senate bills were severally introduced, read a first and second time, and referred as follows:

Senate Bill No. 136, An Act making appropriations for the expenses of the State of New Hampshire for the month of August, 1955. To the Committee on Appropriations.

Senate Joint Resolution No. 8, Joint Resolution in favor of Harry L. Hurlbert. To the Committee on Appropriations.

Senate Bill No. 120, An Act increasing registration fees for motor vehicles of heavy weights. To the Committee on Ways and Means.

### Order Vacated

Mr. Pillsbury of Manchester moved that the order whereby Senate Bill No. 120, An Act increasing registration fees for motor vehicles of heavy weights, was referred to the Committee on Ways and Means be vacated, and that the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Pillsbury of Manchester, Pickett of Keene, Scamman of Stratham and Waling of Keene spoke in favor of the motion.

Mr. Vogel of Canterbury spoke against the motion.

On a *viva voce* vote the motion was adopted.



### Resolution

Mrs. Dondero of Portsmouth offered the following resolution:

*Whereas*, William H. Connell, is ill in the Naval Hospital at Portsmouth, and

*Whereas*, he is a member of the House of Representatives from Dover, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire General Court, extend our sympathy to him in his illness and our best wishes for his speedy recovery, and be it further

*Resolved*, that the Clerk transmit a copy of these resolutions to Mr. Connell.

On a *viva voce* vote the resolution was adopted.

### Reconsideration

Mr. Waling of Keene moved that the House reconsider its vote whereby it indefinitely postponed Senate Bill No. 120, An Act increasing registration fees for motor vehicles of heavy weights.

On a *viva voce* vote the motion did not prevail.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, that third readings of bills be by title and joint resolutions by caption only, and when the House adjourns today it be to meet Thursday morning at 11:00 o'clock.

### Third Readings

House Joint Resolution No. 34, Joint Resolution to provide for an investigation of the laws relating to tax exemption of real estate and personal property and to ascertain the total value of property in New Hampshire so exempted.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 2, An Act relative to reimbursement to towns and cities for land taken by the United States for flood control.

Senate Bill No. 127, An Act relative to the layout of limited access highways and to the Rye Water District.

Severally read a third time and passed and sent to the Senate for concurrence in the amendments.

Senate Bill No. 130, An Act relative to transfer of diagnostic laboratories to the state hospital.

Read a third time and passed and sent to the Secretary of State to be engrossed.

On motion of Mrs. Nutter of Epsom, at 2:05 o'clock the House adjourned.

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#### THURSDAY, JULY 28, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O Lord Jesus Christ, Who didst show Thy love by restoring to health the sick who were brought to Thee; we beseech Thee to hear our prayer for any members of this General Court or any other department of our State Government, or relatives of the same, who are sick at this time. Thou canst relieve their sufferings. Thou canst bestow strength where they are weak, courage where they are despondent, and quietude instead of restlessness. Give them the comfort of Thy presence and faith to receive Thee as a welcome Guest and Healer. Bless Thou all the agencies that are used to restore health and strength, and hasten the day when these sick shall praise Thee for Thy mercy and goodness. We ask it for Thy Name's sake. Amen.

#### Salute to the Flag

Mr. Larty of Haverhill led the convention in the salute to the flag.

#### Leaves of Absence

Messrs. Rice of Peterborough and Wadleigh of Milford were granted leave of absence for the day on account of important business.

Mr. Talbot of Orange was granted an indefinite leave of absence on account of important business.

#### Notice of Reconsideration

Mr. Pickett of Keene served notice that today or some subsequent day he would move to reconsider the vote whereby

the House indefinitely postponed Senate Bill No. 125, An Act relative to the operation of motor vehicles by minors under the age of eighteen years.

### Committee Reports

Mr. Bell of Plymouth, for the Committee on Appropriations, to whom was referred Senate Bill No. 86, An Act relative to expenses of members of commission on interstate cooperation, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out said section and inserting in place thereof the following:

1. *Compensation.* Amend section 4 of chapter 145, Laws of 1935 (section 4, chapter 19, RSA) by striking out said section and inserting in place thereof the following: 4. *Compensation.* The members of said commission on interstate cooperation shall serve without compensation. The members of said commission from the general court shall be entitled to reimbursement for their reasonable expenses when on official duties as such members, provided however said reimbursement expenses are approved by the speaker of the house of representatives for not more than three members on the commission from the house and by the president of the senate for not more than three members on the commission from the senate. Said reimbursement shall be a charge upon the legislative funds.

The report was accepted, the amendment adopted, and the bill was ordered to a third reading.

Mr. Cole of Lebanon, for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 6, Joint resolution relative to supplemental appropriation for the education of the deaf, having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Bell of Plymouth, for the Committee on Appropriations, to whom was referred Senate Joint Resolution No. 5, Joint Resolution in favor of Louis Clement, having considered

the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the title of said joint resolution by striking out the same and inserting in place thereof the following:

Joint Resolution in favor of Louis E. Clement and others.

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

*That* the sum of eight hundred eighty-five dollars and sixty-five cents be and hereby is appropriated to reimburse Louis E. Clement for hospital and medical expenses incurred by reason of an injury sustained by him while in the performance of his duties as an employee of the State.

*That* the sum of one hundred dollars be and hereby is appropriated to reimburse Eleanor Marquis for medical and other expenses incurred as a result of an accident with a National Guard vehicle.

*That* the sum of three hundred eleven dollars be and hereby is appropriated to reimburse James S. Crowe for damage to his car caused by a National Guard truck striking his parked car.

The Governor is hereby authorized to draw his warrants from any funds not otherwise appropriated and the sums appropriated shall be in full and complete settlement of these claims.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Rathbone of Exeter, for the Committee on Judiciary, to whom was referred Senate Bill No. 13, An Act relating to reassessment procedures, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Local Officials.* Amend section 13, chapter 82, Revised Laws (section 13, chapter 71, RSA) by inserting at the end thereof the words, In making such reassessment the commission may determine whether the values determined shall be

used for the assessment of taxes for the year in which the reassessment is made or for the assessment to be made in the succeeding year, so that said section as amended shall read as follows: 13. *Procedure for Reassessment.* Such reassessment shall be made in the first instance by the selectmen or assessors of such district, and, if such reassessment is not made within thirty days of the order or is not satisfactory to the tax commission, then the commission may make such reassessment or cause it to be made. In making such reassessment the commission may determine whether the values determined shall be used for the assessment of taxes for the year in which the reassessment is made or for the assessment to be made in the succeeding year.

2. *Takes Effect.* This act shall take effect upon its passage.

Reading of the amendment having commenced, on motion of Mr. Faulkner of Keene, further reading was dispensed with.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote the amendment was adopted and the bill was ordered to a third reading.

Mrs. Studley of Rochester, for the Committee on Judiciary, to whom was referred House Bill No. 410, An Act relative to licensing of trailer parks and mobilehome parks, having considered the same, reported the same with the following amendment, and recommended that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the use and display of the state flag.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Authorization.* Amend section 2-a of chapter 13 of the Revised Laws as inserted by section 7 of chapter 266 of the Laws of 1953 by striking out said section and inserting in place thereof the following new section: 2-a. *Powers of the Governor.* The governor is authorized to make rules and regulations governing the use and display of the state flag not inconsistent with the provisions of chapter 443 of the Revised



Laws; and it shall be lawful to use and display said flag in accordance with such rules and regulations.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

Mr. Fortier of Berlin, for the Committee on Labor, to whom was referred Senate Bill No. 124, An Act relative to safety regulations for commercial establishments and to workmen's compensation agreements, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Scamman of Stratham, the rules were suspended to allow introduction of a committee report not previously advertised in the Journal.

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred Senate Bill No. 136, An Act making temporary appropriations for the expenses of the State of New Hampshire for the month of August, 1955, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Scamman of Stratham moved that the rules be suspended to allow the third reading and final passage, by title only, of Senate Bill No. 136, An Act making temporary appropriations for the expenses of the State of New Hampshire for the month of August, 1955.

On a *viva voce* vote, the motion prevailed and the bill was read a third time and passed and sent to the Secretary of State to be engrossed.

### **Report of Committee on Engrossed Bills**

Mrs. Palmer of Plaistow, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bills and House joint resolutions:

House Bill No. 36, An Act to provide recognition of the war service of residents of this state who served in the armed forces of the United States during the Korean conflict.

House Bill No. 489, An Act relative to registration and re-registration of partnerships.

House Bill No. 526, An Act relative to the distribution of copies of the Revised Statutes Annotated to members of the general court.

House Joint Resolution No. 6, Joint Resolution providing an appropriation for works of improvement on small watersheds.

House Joint Resolution No. 17, Joint Resolution relating to teachers' retirement system study.

House Joint Resolution No. 49, Joint Resolution relative to a road in Fitzwilliam, and providing for a study of access highways to state reservations.

The report was accepted.

#### Report of Committee of Conference

The Committee of Conference, to whom was referred Senate Bill No. 57, An Act relative to the solicitation of bribes, report the same with the following recommendations:

That the Senate recede from its position of non-concurrence in the House amendments and concur with the House in adopting said amendments.

J. C. CLEVELAND,  
ARCHIBALD H. MATTHEWS,  
*Conferees on the Part of the Senate.*  
HERBERT W. RAINIE,  
SAMUEL P. HADLEY,  
SCOTT F. EASTMAN,  
*Conferees on the Part of the House.*

On motion of Mr. Rainie of Concord the report of the Committee of Conference was agreed to.

#### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate refused to concur with the House of Representatives in the amendments to Senate Bill No. 113, An Act relative to the rate of tax on interest and dividends, and asks for a Committee of Conference.

Pursuant to the above, the Chair appointed as conferees on the part of the Senate, Senator Matthews, District No. 5 and Senator McMeekin, District No. 3.

On motion of Mr. Geisel of Manchester the House acceded to the request of the Honorable Senate, and the Speaker appointed as members of such committee on the part of the House, Messrs. Geisel of Manchester, Rathbone of Exeter and Pickett of Keene.

House Bill No. 448, An Act relative to the appeal board in public construction contracts, providing for a deputy labor commissioner, and relative to board of arbitration.

Amend sections 2 and 3 of said bill by striking out the same and inserting in place thereof the following:

2. *Department of Labor.* Amend sections 7 and 8 of chapter 210, Revised Laws (sections 7 and 8, chapter 273 RSA) by striking out said sections and inserting in place thereof the following: 7. *Deputy Commissioner.* The commissioner shall appoint a deputy labor commissioner. Said deputy shall exercise the powers and perform the duties of the commissioner whenever the labor commissioner is incapacitated, absent or unable to act from any cause. Whenever there is a vacancy in the office of labor commissioner the deputy shall have the powers and duties of the commissioner until another commissioner is appointed and qualified. 8. *Salary.* The salary of the deputy commissioner shall be that as fixed by chapter 265, Laws of 1953 (RSA 94).

3. *Present Administrative Assistant.* The administrative assistant of the department of labor in office at the time of the passage of this act is hereby designated as deputy labor commissioner.

Further amend said bill by inserting after section 3 the following new sections:

4. *Salary.* Amend paragraph II of section 1 of chapter 265, Laws of 1953 (section 1, chapter 94 RSA) by inserting after the provision for the salary of the deputy warden for the state prison the following: Deputy labor commissioner, minimum 5,000, maximum 5,750.

5. *Appropriation.* There is hereby appropriated the sum of one thousand dollars for the fiscal year ending June 30,

1956, and the sum of one thousand one hundred and fifty dollars for the fiscal year ending June 30, 1957, to be expended by the labor department for the increase in salary for the deputy labor commissioner.

Further amend said bill by renumbering sections 4 and 5 to read sections 6 and 7.

Amend said bill by inserting after section 5 as inserted hereinabove the following new sections:

6. *Deputy State Treasurer.* Amend paragraph II of section 1 of chapter 265, Laws of 1953 (section 1, chapter 94 RSA) by striking out the line "Deputy state treasurer 5,500 6,325" and inserting in place thereof the line, Deputy state treasurer minimum, 6,000, maximum 6,900.

7. *Appropriation.* There is hereby appropriated the sum of five hundred and thirty dollars for the fiscal year ending June 30, 1956, and the sum of seven hundred and ten dollars for the fiscal year ending June 30, 1957, to be expended by the treasury department for the additional salary provided in section 6 for the deputy state treasurer.

Further amend said bill by renumbering sections 6 and 7 to read sections 8 and 9.

Mr. Angus of Claremont moved that the House non-concur in the amendments sent down from the Honorable Senate and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Messrs. Angus of Claremont, Bell of Plymouth, and Miss Bailey of Newport.

The Speaker declared a five-minute recess.

### After Recess

#### Introduction of a Bill

By the Rules Committee (Mr. Rowell of Newport), House Bill No. 545, An Act relative to the salary of the justice of the Newport municipal court.

The bill was read a first and second time, laid upon the table to be printed and referred to the Committee on Judiciary.

### Printing Dispensed With

Mr. Rowell of Newport moved that the rules be so far suspended as to dispense with the printing and reference to committee of House Bill No. 545, An Act relative to the salary of the justice of the Newport municipal court, and put the bill upon its third reading and final passage, by title only, at the present time.

The question being on the motion.

Messrs. Rowell of Newport and Soucy of Manchester Ward 1, spoke in favor of the motion.

On a *viva voce* vote the motion prevailed and the bill was read a third time and passed and sent to the Senate for concurrence.

### Report of Committee on Engrossed Bills

Mr. Ballentine of Laconia, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate Bill:

Senate Bill No. 136, An Act making temporary appropriations for the expenses of the State of New Hampshire for the month of August, 1955.

The report was accepted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 536, An Act modifying the employees' retirement system of the state of New Hampshire and correlating its benefits with federal old-age and survivors' insurance benefits.

House Bill No. 538, An Act relating to Union School District of Keene.

The message further announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 459, An Act relative to unemployment compensation successorship merit rating for public utilities.



The message further announced that the Senate had voted to adopt the report of the Committee of Conference on the following entitled bills:

House Bill No. 295, An Act relative to re-examination of holders of licenses to operate motor vehicles.

House Bill No. 349, An Act relative to hourly wages for employees.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 500, An Act providing for the acquisition of certain dams and water rights by the water resources board.

Amend the bill by striking out section 1 and inserting in place thereof the following:

1. *Acquisition Authorized.* The water resources board is hereby authorized to accept from the owners thereof the following described property for the purpose of improving and controlling certain water rights for the benefit of the state: (1) dams and water rights controlling Pawtuckaway pond and Mendum pond in the towns of Nottingham and Barrington together with approximately seven hundred acres of land bordering said waters in said towns. The sum of nine thousand one hundred and twenty-five dollars for the fiscal year ending June 30, 1956 and a like sum for the fiscal year ending June 30, 1957, are hereby appropriated to be expended by the water resources board for the purpose of making repairs and modifications to said dams and placing them in condition to best serve the interests of the state. The appropriation hereunder shall be a continuing appropriation and shall not lapse.

2. *Suncook River.* The water resources board is hereby authorized to acquire from the owners thereof on such terms and conditions as it may deem suitable the dams and water rights on and in the Suncook river extending from the town of Barnstead through Gilmanton to the town of Alton. The sum of sixteen thousand five hundred dollars for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957, are hereby appropriated to be

expended by the water resources board for the purpose of making repairs and modifications to said dams and placing them in condition to best serve the interests of the state. The appropriation hereunder shall be a continuing appropriation and shall not lapse.

Further amend the bill by renumbering sections 2 and 3 to read sections 3 and 4.

Miss Spollett of Hampstead moved that the House concur in the amendments sent down from the Honorable Senate.

The question being on the motion.

Mr. Scamman of Stratham spoke against the motion.

Miss Spollett of Hampstead then withdrew her motion to concur.

Mr. Scamman of Stratham moved that the House non-concur in the Senate amendments and that a Committee of Conference be appointed.

On a *viva voce* vote, the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Messrs. Davis of Hopkinton, Pillsbury of Manchester and Sheridan of Berlin.

### Personal Privilege

Messrs. Geisel of Manchester, Pickett of Keene, O'Shan of Laconia, Deans of Milford and Mrs. Brungot of Berlin rose on a point of personal privilege.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives.

House Bill No. 474, An Act relative to lay out of class I and II highways and assessment of damages.

Amend section 10 of Part 4 of chapter 90, Revised Laws, as inserted by section 1 of said bill by striking out said section and inserting in place thereof the following:

10. *Board.* There is hereby created and there shall be a board to be known as the highway damage review and appeal

board consisting of five persons who have been residents of New Hampshire for at least five years and who have had previous experience in the assessment of land values and/or knowledge of appraisal of real estate values. There shall be not more than two members of said board from any one county. The board shall review all land damage awards in excess of twenty-five hundred dollars. The board shall review any other award when requested by either the State or an aggrieved land owner.

Amend section 8 of the bill by striking out the same and inserting in place thereof the following.

8. *Taking of Land and Property.* Upon receipt of the report on the findings and determination of the governor and council, or of the layout commission, a land damage commission of three independent qualified citizens shall be appointed by the governor with the advice and consent of the council, and shall then assess the damages to be sustained by each owner of land or property to be taken or purchased. They shall tender payment of the sum so assessed for damages unless the same shall be reviewed by the highway damage review and appeal board in the manner herein provided. No taking or purchase of land or property so assessed shall be consummated until tender of payment is made and accepted or refused by the owner or owners of the land or property to be taken. Such acceptances shall be in writing and signed in ink. Such taking or purchase of land or property shall be in fee simple.

Amend section 9 of the bill by striking out the same and inserting in place thereof the following:

9. *Land Damage Commission.* Members of land damage commission, appointed hereunder, shall receive for their services the sum of fifteen dollars per day, for such time as they actually are engaged in the service of the state and shall be reimbursed for all traveling, subsistence, incidental and clerical expenses; and any costs of litigation incurred in carrying out the provisions of this act. Such compensation shall be a charge against the funds of the department of public works and highways. Before commencing their duties, members of the land damage commission shall be instructed in their duties by the attorney general or his deputy. Before undertaking negotiations with owners all commissions shall furnish to each

owner or his representative in hand or by registered mail, return receipt requested, full written information concerning the landowner's rights and the commission's duties in form to be prescribed by the attorney general.

Amend section 13 of the bill by striking out in line 3 of the section the word "fifteen" and inserting in place thereof the word, twenty, so that said section as amended shall read as follows:

13. *Compensation and Expenses.* Members of the highway damage review and appeal board shall be paid twenty dollars a day for such time as they actually are engaged in the service of the state and shall be reimbursed for all traveling, subsistence, incidental and clerical expenses; and any costs of litigation incurred in carrying out the provisions of this act. Such compensation shall be a charge against the funds of the department of public works and highways.

Amend section 17 of the bill by striking out the same and inserting in place thereof the following:

17. *Report of Assessments.* When the land damage commission has assessed the amount of damages to be paid an owner for land or property to be taken or purchased under the provisions of this act, the commission shall, if said award is to be reviewed, forthwith report its determination and all the evidence upon which said amount of damages is based to the highway damage review and appeal board on a form or forms prescribed by the board, and shall state in its report whether the amount of damages assessed appears to be satisfactory to the owner.

Amend section 18 of the act by striking out said section and substituting therefor the following new section 18:

18. *Powers and Duties of the Board.* The board shall have the power to adopt and amend all rules of procedure, not inconsistent with the constitution and laws of this state, which reasonably may be necessary for the proper performance of its duties and the regulations of the proceedings before it, including the detail of individual members of the board to be examiners in specific cases. An examiner shall be so detailed by the chairman of the board in any case where specific investigation seems required; and such examiner shall have no

function other than to acquire and assemble information for submission to the board. The board may subpoena witnesses and compel their attendance, and also may require the production of books, maps, papers and documents, necessary to the proper performance of the duties of the board. Any member of the board may administer oaths or affirmations to witnesses appearing before the board. Any person failing or refusing to obey the subpoena or order of the board may be proceeded against in the manner as for refusal to obey any other subpoena. The board shall review report of the commission. If the board believes that the sum assessed is excessive and not in the best interest of the state, the board shall so notify the commission; shall notify the owner by registered mail with request for a return receipt of an amount of assessment which the board feels is in the best interest of the state; and shall notify the attorney general. If no objection on the part of the owner shall be received by the board within seven days of the date on the registered return receipt, only the amount approved by the board shall be tendered to the owner. The owner may appeal to the board within the seven days of the date on the registered return receipt and the board shall hear informally the appeal of the owner and render a decision thereon within thirty days thereafter. If the appeal of the owner results in a change of assessment of damages agreed upon by the board, then the board shall revise the amount approved; shall notify the commission; shall notify the owner by registered mail with request for a return of the revised amount of assessment which the board feels is in the best interest of the state; and shall notify the attorney general. Upon receipt of the revised approved amount of assessment the commission shall then make tender. If after an appeal is made to the board by the owner and after hearing, no change in the amount of assessment is found to be justified the commission shall make tender of the approved amount of damages. If after review, the board feels the assessed damages is unjustly low, they shall make a complete review of the assessment and may require the commission to present in further detail the basis for his or its assessment. After hearing the commission, the board shall establish an approved award by them deemed equitable and just and shall notify the commission; shall notify the owner by registered mail with request for a return receipt of an amount of assessment which the



board feels is in the best interest of the state; and shall notify the attorney general. Upon notification by the board of an adjustment of an award that the board determined was unjustly low, the commissioner or attorney general may appeal therefrom as provided in section 19. Tender shall be made to the owner in the revised amount established and approved by the board. The board in notifying any owner of the approval of the amount of damages assessed; a reduction in the amount of damages assessed; or of an increase in the amount of damages assessed shall inform him of his rights of appeal to the board. The board shall, prior to or during any court action, consider and make a final decision on any recommendation of the attorney general concerning settlement out of court.

Amend said bill by inserting after section 1 the following new section:

2. *Limited Access Highways.* Amend Part 7 of chapter 90, Revised Laws, as inserted by chapter 188, Laws of 1945 (chapter 236, RSA) by inserting after section 2 the following new section: 2-a. *Compensation of Commissioners.* Each member of a commission appointed for the laying out or alteration of a limited access facility, as provided in section 2, shall receive for his services the sum of twenty dollars per day for such time as they actually are engaged in the service of the state and shall be reimbursed for all traveling, subsistence, incidental and clerical expenses. Such compensation shall be a charge against the funds of the department of public works and highways.

Further amend said bill by renumbering section 2 to read section 3.

Amend section 3 by striking out the entire section and inserting in place thereof the following:

3. *Takes Effect.* This act shall take effect upon its passage.

Reading of the amendments having commenced, on motion of Mr. Faulkner of Keene, further reading was dispensed with.

Mr. Faulkner of Keene moved that the House non-concur in the amendments sent down from the Honorable Senate and that a Committee of Conference be appointed.

On a *viva voce* vote the motion prevailed.

### Rules Suspended

Mr. Pickett of Keene moved that the rules be so far suspended as to permit the third reading of bills by title only at the present time.

On a *viva voce* vote the motion prevailed.

### Third Readings

House Bill No. 410, An Act relative to the use and display of the state flag.

Read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 13, An Act relating to reassessment procedures.

Senate Bill No. 86, An Act relative to expenses of members of commission on interstate cooperation.

Senate Joint Resolution No. 5, Joint Resolution in favor of Louis E. Clement.

Severally read a third time and passed and sent to the Senate for concurrence in the amendments.

Senate Bill No. 124, An Act relative to safety regulations for commercial establishments and to workmen's compensation agreements.

Senate Joint Resolution No. 6, Joint Resolution relative to supplemental appropriation for education of the deaf.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

### Resolution

Mr. Chase of Dover offered the following resolution:

*Whereas*, Mrs. Ruth Kelley of Middleton has passed away, and

*Whereas*, Mrs. Kelley was a Delegate to the Strafford County Convention in the present session and a former Member of the House of Representatives, therefore be it

*Resolved*, that we, the Members of the House of Representatives of the New Hampshire General Court, pay tribute to Mrs. Kelley's services to her town, county and state and extend our sympathy to her family in its bereavement, and be it further

*Resolved*, that the Clerk of the House transmit to her

stepson, Chester Kelley of South Lebanon, Maine, a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.

### Communication

The Speaker read the following letter:

NEW HAMPSHIRE FORESTRY AND RECREATION DEPARTMENT  
RECREATION DIVISION  
CONCORD, N. H.

July 27, 1955

HON. CHARLES GRIFFIN  
Speaker, House of Representatives  
State House  
Concord, New Hampshire

*Dear Mr. Speaker:*

In compliance with Chapter 306 of the 1953 session, studies have been made by the Forestry and Recreation Commission of the Mount Washington, Pinkham Notch and Crawford Notch areas of the White Mountains for the purpose of providing plans to expand the summer and winter sports activities of those areas. Herewith is a copy of the Commission's report.

Additional copies have been sent to the House Resources, Recreation and Development Committee. Should you have further instructions as to other members who should receive this report, please let me know.

Sincerely,

RUSSELL B. TOBEY,  
*Director of Recreation.*

The report was ordered printed in the Journal.

HON. CHARLES GRIFFIN  
Speaker, House of Representatives  
State House  
Concord, New Hampshire

*Dear Mr. Speaker:*

Pursuant to Chapter 306 of the Laws of 1953, our Commission has made studies of the Mount Washington, Pinkham

Notch and Crawford Notch areas of the White Mountains for the purpose of providing plans to expand the summer and winter sports activities in those areas, and herewith submits its report to the Legislature.

As assistance and guidance to the Commission in the development of this report, we have called upon the State Planning and Development Commission, the Public Works and Highways Department, the Governor's Mount Washington Advisory Committee, as well as numerous public-spirited individuals. We wish at this time to acknowledge the value of their service and advice and our appreciation for it.

Such a report, we felt, needed to reflect some of the historic background of the recreational developments and uses in the past; a general summary of facilities and services provided at present; and an intimation of future needs and potentials.

The future possibilities herein indicated are intended to be of a general nature and of interest to all public and private agencies with a concern for the recreational potential of this area.

This report has been reviewed and approved by the Commission and it is with their authorization that I submit it to you.

Sincerely,

HARRY K. ROGERS,

*Chairman,*

*Forestry and Recreation Commission.*

A REPORT TO THE LEGISLATURE ON THE PRESENT  
STATUS AND FUTURE POSSIBILITIES OF SPORTS  
ACTIVITIES IN THE MOUNT WASHINGTON,  
PINKHAM NOTCH AND CRAWFORD NOTCH  
AREAS OF THE WHITE MOUNTAINS  
BY THE N. H. FORESTRY AND RECREATION  
COMMISSION

AUTHORIZATION

Chapter 306 of the Laws of 1953 directed the N. H. Forestry and Recreation Commission to make a study of the Mount Washington, Pinkham Notch and Crawford Notch Area for the purpose of providing plans to expand the summer and winter sports activities in those areas.

### Area Involved

The area studied includes two of the three major White Mountain notches and the highest mountain range of the Northeast. It embraces the most popular tent-camping development in New Hampshire (Dolly Copp Forest Camp), the highest automobile road in the Northeast (Mount Washington Summit Road), the best opportunities for late-season skiing in New England (Tuckerman Ravine), the only cog railway in The East (Mount Washington Cog Railway), the loftiest resort hotel in the State of New Hampshire (Mount Washington Summit House), the most intensively developed system of foot-trails in the country, and the highest public highway in New Hampshire (Jefferson Notch Road).

The Presidential Range and its flanking Crawford and Pinkham Notches are favored with many such man-made or natural superlative attractions. It was inevitable that this area should include the initial New Hampshire mountain hostleries operated by the Rosebrook and Crawford families and currently boasts many outstanding summer hotels such as the Mount Washington Hotel, Crawford House, Ravine House, Glen House, Waumbek, and Notchland.

The area provides the headwaters of four picturesque mountain streams: the Ammonoosuc flowing from the Lakes of the Clouds past the Base Station and the resort communities of Bretton Woods and Twin Mountain to the Connecticut at Woodsville; the Saco River from Saco Lake at the Gateway of Crawford Notch through Bartlett and the Conways to the ocean at Saco and Biddeford; the Ellis River from Tuckerman Ravine past Jackson to its confluence with the Saco at Glen; and the Peabody River flowing north from the Great Gulf and the north slopes of Pinkham Notch to join the Androscoggin at Gorham.

This high country is the "heart" of the Granite State's recreational setting with its rugged mountains, turbulent streams, picturesque waterfalls, and scenic intervalles. It is a veritable "magnet" drawing tourist and summer residents from distant places who find here many forms of sports and choices of recreational opportunities.

### Ownership

The ownership pattern falls into three types of proprietorship. About 90% of the area is owned by the United States and



administered as a part of the White Mountain National Forest by the Forest Service, a bureau in the U. S. Department of Agriculture, with headquarters at Laconia. Probably 5% is owned by New Hampshire and administered by the State Forestry and Recreation Commission as the Crawford Notch State Park. The final 5% is privately owned, consisting chiefly of tracts controlled by the Bretton Woods Company in the vicinity of the Mount Washington Hotel and E. Libby & Sons surrounding the Glen House. A much smaller, but highly significant privately-owned tract is the 60-acre parcel on the summit of Mount Washington administered by the executors of the Teague Estate subject to certain leases and easements.

This ownership pattern has prevailed during the past forty years. The balance may not be ideal in some respects but the record shows the development of a far-flung public playground on the National Forest and State Reservation and the operation of commercial enterprises on private land, which, in general, have provided essential and desirable facilities for the use and enjoyment of the visiting public. This vast natural resource provides a basic support and continuous stimulation to the ever-growing private businesses surrounding it.

### Sports

It is assumed that the "sports" emphasized in the language of Chapter 306 refer to informal types of outdoor recreation compatible with a mountain environment and do not include such pastimes as golf, and tennis, for which excellent facilities are provided in the area but which are not characteristic of a mountain recreational development.

"Sports" for the purpose of this report are considered to be such recreational activities as hiking and camping, fishing and hunting, skiing and mountaineering, boating and canoeing, picnicking, touring and sightseeing, photography, etc. These are the pursuits that for generations have attracted visitors to the Presidential Range and adjacent notches. The opportunities to enjoy these interests are numerous but there are some who feel that with better planning, more aggressive management and an expansion of current physical facilities the opportunities would become truly limitless to the advantage of both the visitor and his host.

### Mount Washington

The highest peak of the Northeast is accessible by the Cog Railway from the west (Crawford Notch), the Summit Road from the east (Glen House and Crawford Notch), and by numerous hiking trails serving all slopes of the Presidential Range. The Cog Railway and the Summit Road are privately owned and operated. The hiking trails, huts and shelters are maintained by the Appalachian Mountain Club, U. S. Forest Service, U. S. Forestry and Recreation Commission, and Randolph Mountain Club.

The summit of Mountain Washington is a major attraction for tourists. In recent years its unique physical features have been recognized by both the Federal Government and private interests, including TV, who have established operations on the congested summit area in such a way as to endanger the public use and enjoyment of the peak.

Chiefly because of the growing restrictions to public access on the summit area, Governor Hugh Gregg, on July 30, 1953, appointed a five-member Study Committee to investigate the problem and submit its recommendations. The Committee submitted its report in December 1954 and was asked to continue indefinitely as an Advisory Committee by Governor Lane Dwinell. The full recommendations of this group will not be repeated here as they are available through the Governor's Office.

In brief, the Committee urged minimum obstruction to the free movement of visitors on the summit, consideration of esthetic features in the design and construction of any additional buildings, higher standards of clean-up and sanitation, public admission to those Government and private activities of non-security nature, and the construction of a public refuge to take the place of Camden Cottage during those periods when neither the Summit House nor the Cottage Office is open.

The facilities presently available for summer visitors on the summit are obviously inadequate to serve the heavy volume of transient and potential overnight guests. Passenger car travel to the summit could be materially increased by the construction of a modern highway — the route now followed is exactly the same as that located for the original Carriage Road nearly one hundred years ago. The Cog Railway would provide a more enjoyable ride to the summit if converted from steam to diesel and equipped with modern cars.

It is recognized that renovation of summit accommodations and modernization of both the Summit Road and the Cog Railway involve substantial capital expenditures but unless such improvements are provided, Mount Washington's reputation as a tourist attraction may deteriorate.

Tuckerman Ravine and, to a lesser extent, the above-timberline snow slopes on Mount Washington provide a unique late-season area for the justly popular sport of spring skiing. However, the "saturation point" has been reached in Tuckerman Ravine and any substantial increase of ski activity in that snow bowl, as the result of installing a ski lift into the basin, would seriously aggravate the present situation and deliver to the precipitous slopes many skiers not sufficiently proficient to maneuver the hazardous headwall with safety to themselves and others. The present physical requirement of having to walk or ski into the bowl acts as an effective physical filter, eliminating those who are not qualified by experience, condition or equipment.

### Pinkham Notch

Pinkham Notch, chiefly because it crosses National Forest land and is therefore eligible for substantial financial aid from the Forest Highway Fund, was the first major White Mountain Notch to be served by a modern highway. This high-gear road has been popular with many tourists but much remains to be done in the way of adding to their enjoyment of driving through this semi-wilderness area.

The Appalachian Mountain Club, since 1920, has maintained its Pinkham Notch Camp as a "jumping-off" place for the great number of hikers planning to climb Mount Washington via Tuckerman Ravine or any of the other routes up the eastern slope of the mountain. The camp is operated on a non-profit basis under a special-use permit from the U. S. Forest Service.

The Glen House provides the only other public accommodations in Pinkham Notch at its strategic location at the start of the Mount Washington Summit Road from its vantage point overlooking the Northern Peaks.

The East Side Highway (N. H. 16) provides some excellent views of Mount Washington but appreciation by motorists could be greatly improved by expanding the south-bound view of Tuckerman Ravine at Darby Field and restoring the south-

bound view of the Great Gulf up the West Branch of the Peabody River about one mile south of Dolly Copp Forest Camp.

Pinkham Notch is endowed with at least three outstanding waterfalls; Glen Ellis, readily accessible from the highway but needing continued maintenance by the Forest Service for adequate parking, toilet facilities, and access path; Crystal Cascade,  $\frac{3}{8}$  mile from Pinkham Notch Camp via the Tuckerman Ravine Trail; and Thompson Falls on the Peabody River south of the Glen House, needing both a parking area and well-maintained access path.

Franconia Notch has its Echo and Profile Lakes, Dixville Notch its Lake Gloriette, Crawford Notch its Saco Lake, and Kinsman Notch its Beaver Lake. Pinkham Notch has no such body of water to provide the foreground for its mountain views but at least three opportunities are available. Milliken Pond, one mile north of the Glen House, could be restored. A new lake in the intervalle across Route 16 from the Glen House would add immeasurably to the view from that favored point.

Enlargement of Lost Pond one mile south of the Pinkham Notch Camp at the base of Wildcat Ridge by diversion of the Ellis River would be more expensive than the first two proposals, but would provide still another body of water to improve the scenery and also to provide more fishing opportunities and limited boating.

We in New Hampshire take our lakes and ponds for granted, assuming that other parts of the country are equally favored. This is not so. Many of our visitors come from regions where lakes are artificial and their use usually restricted because they serve as municipal water supplies. Every effort should be made to provide as many lakes and ponds as our terrain permits.

Dolly Copp Forest Camp, at the northern approach to Pinkham Notch, is currently administered by the Appalachian Mountain Club by agreement with the U. S. Forest Service. It serves adequately the need for a public camping area at the northeastern base of the Presidential Range.

The slopes of Wildcat Ridge, which with Mount Washington on the opposite side, forms Pinkham Notch have been long noted for their steep and varied terrain and their heavy snow accumulation. The U. S. Forest Service in its administration of National Forest land in other parts of the country has en-



couraged their development for winter recreational use by permitting the installation of ski lifts and other facilities at nationally known ski centers located in whole or in part on National Forest land. Permission to develop the National Forest land on the west slope of Wildcat Ridge might give to New Hampshire another major ski center of challenging proportions.

### **Crawford Notch**

The rugged nature of "The White Mountain Notch" is the basic attraction of this Notch and all planning should be directed toward that objective. Vistas from both highways and the Maine Central Railroad provide an opportunity to enjoy its magnificent scenery.

However, there is relatively little encouragement for the tourist to prolong his visit to the Notch. The wildlife display at the Willey House site is one exception and deserves even further development. The public camping and picnicking area at Dry River leaves much to be desired and should be improved as it is the only State-maintained camping area in the Notch and was favorably reported as needing such development by the 1955 House Committee on Resources, Recreation and Development.

Silver Cascade, directly visible from Route 302 through the Notch, attracts much attention from tourists but suffers from lack of easy accessibility, inadequate parking facilities, and a general need for "elbow-room" in its naturally confined surroundings. Plans for better accessibility and enjoyment of this and the Flume Cascade should be coordinated with plans for highway improvement and carried out at the same time.

The same limitations affect public enjoyment of Arethusa Falls, which is less accessible but could also furnish still another deterrent to what is now too often a mad dash through the Notch by the touring public with little inducement to pause and enjoy its natural attractions. It might be that reverting to horse or mule rides as a means of transporting visitors to these out-of-the-way attractions would prove successful.

The possibilities of impounding water within this notch should be explored. Though relatively small, such mountain ponds in this rugged terrain would have unusual appeal to urban visitors.

The present buildings and facilities along the highway at



Wiley House Site are inadequate at the present time and the operation appears chiefly "commercial." This site has a romantic and historic background as yet untapped. There is a potential public interest to challenge the cooperation of public and private efforts to provide an authentic display of structures, implements and effects of earlier days. It would seem that the present business now done at this site would be a better operation and prove an attraction if relocated elsewhere in the Notch Valley away from traffic hazards which present dangers to those who stop there.

Vistas from the summit of Mt. Willard, once so popular to tourists conveyed by mountain wagons, might again become popular, and especially so if similar transportation could be provided. The possibilities of access to this summit and other scenic points in the Notch now inaccessible, such as Dismal Pool, should be part of any long-range plans.

The northern approach to Crawford Notch, although enjoying a relatively high elevation of 2,000 feet, suffers from a comparatively light snow cover and considerable wind effect, which reduces its attractiveness as a ski development.

However, what it lacks in winter inducements is more than compensated by its summer attractions, especially after the Ammonoosuc River is no longer polluted. Zealand Falls Forest Camp, maintained by the U. S. Forest Service, is one of the most popular camping and picnicking sites in the vicinity of Mount Washington, but its public services have been jeopardized by lack of sufficient Forest Service appropriations to maintain properly the various public recreational facilities within the White Mountain National Forest.

### Adjacent Areas

The shortest connection between Pinkham and Crawford Notches is provided by the Jefferson Notch Road between the Northern Peaks and the Dartmouth Range and by the Dolly Copp (Pinkham "B" Road) between Mount Madison and Pine Mountain. Both are gravel roads through scenic country and deserve continued maintenance as examples of historic mountain roads and also as pleasing drives for those who have "high-balled" up throughways from the Atlantic Coast so as to drive "up and over" our truly scenic though relatively primitive highway routes at the base of the Presidential Range.

### Future Possibilities

This area affords ample opportunities for future expansion to provide increased sports facilities but continuing cooperation among the several major landowners and the various resort operators will be necessary, if the traditional activities which have contributed to its pre-eminence are to be maintained and expanded in directions that will continue to attract today's tourists and still provide a unique mountain playground.

The major objective in planning future facilities should be to furnish a series of diversions into the many places of scenic and historic interest so as to discourage tourists from making a high-speed dash through the mountains. These would be in the form of more and better roadside vistas of peaks, waterfalls and ravines; better picnic and rest-stop opportunities; more convenient tent-camping areas particularly in Crawford Notch; and well-signed and well-graded trails to off the road landmarks; access to historic sites and displays in structures reflecting mountain ways of living and livelihood; water to look at, fish and swim in; transportation to-out-of-the-way objectives by unique methods—all calculated to expose the wide range of recreational interest and opportunities to the ever increasing interest of visitors and lessen the present crowded conditions.

The "sightseer" has always represented the bulk of White Mountain visitor and probably will continue to do so. We should make sure that he has a variety of sights to see and a feeling of freedom in which to enjoy them.

The Speaker declared a seven-minute recess.

### After Recess

#### Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 204, An Act providing for the development of Concord Lake Project, having considered the same, reports the same with the following recommendation:

That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting the amendment, and that the following amendments be adopted:

Amend section 1 of the bill by striking out the same and inserting in place thereof the following:

1. *Concord Lake Study Commission.* There is hereby directed to be created a commission to consist of seven members of whom at least three shall be from Concord and two from Bow to be appointed by the Governor, and to be known as the Concord Lake Study Commission. One member of the total number of members shall be a resident owner of land under study by the commission as submerged or littoral areas of the Concord Lake Project so-called. The members of the commission originally appointed shall hold office until August 1, 1957, at which time this commission shall be terminated.

Amend section 2 of said bill by inserting after the first sentence the following: The commission may also study other locations in the vicinity which might be suitable for the creation of such a lake, so that said section as amended shall read as follows:

2. *Duties of the Commission.* The commission shall study the feasibility of constructing on Turkey River in Concord at a point westerly of St. Paul's school, a dam, the crest of the spillway of which shall not exceed an elevation of three hundred forty feet above sea level, for the purpose of creating an artificial body of water suitable for recreational and other public uses to be known as Concord Lake. The commission may also study other locations in the vicinity which might be suitable for the creation of such a lake. The commission shall make studies of the various public uses which such a body of water could serve; and it shall cause to be made such studies as are necessary to determine whether the creation of the said Concord Lake is physically and financially feasible, to determine the area of land necessary to be acquired to create the said Concord lake including the area of littoral land necessary or desirable to be acquired to fulfill the various public uses which Concord lake might reasonably serve, to determine the revenue producing potentials of such areas of land as might be acquired and to determine whether such a facility can be constructed, operated and maintained under the direction of a state commission without appropriation of funds by the state or a pledge of the state's credit, by the sale of bonds secured by revenues expected to be earned from the lake facility and the properties thereof. The commission shall cause to be made all such studies as are reasonably necessary or desirable in the determination of the foregoing matters and matters reasonably incident there-

to. The commission shall make a report to the governor and council of the results of the studies that it shall have made by November 1, 1956.

MYRON B. HART,  
R. H. SKINNER,  
BASIL BROADHURST,

*Conferees on the Part of the House.*

E. C. FERGUSON,  
JOHN R. POWELL,

*Conferees on the Part of the Senate.*

On motion of Mr. Hart of Laconia, the report of the Committee of Conference was agreed to.

On motion of Mrs. Willis of Salem the rules were suspended to allow business in order at 3:00 o'clock to be in order at the present time, and when the House adjourns today it be in honor of the birthday of Mr. Roy of Berlin and Mr. Willis of Salem and all other members whose birthday was today, and when the House adjourns today it be to meet Tuesday morning at 11:00 o'clock.

On motion of Mr. Willis of Salem at 1:37 o'clock the House adjourned.

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TUESDAY, AUGUST 2, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain Rev. Robert W. E. MacKenzie, Pastor of Community Church of West Swenzey.

### Prayer

O Lord our God, before Whom the nations rise and fall,  
Who knowest our secret thoughts and hidden fears,

Bless us this day with Thy Holy Spirit, and help us to  
discharge our duties faithfully and well.

Thou hast made our nation mighty in the world of nations,  
so make it a source of wisdom and truth, of order and sanctity  
to all who come under its influence.

Bless the flag that flies over us, sanctify to us its symbolisms. May its colors stand out as the living embodiment of Purity, Loyalty, and Sacrifice.

Bless, we pray Thee, the Governor of our beloved State, the members of his Council, the chosen senators and representatives of the people and all in authority over us.

May it please Thee so to use their hearts that they may rightly use the trust committed unto them for the good of all Thy people.

And now, O God, by the might of Thy Holy Spirit, quench the pride, and anger, and greediness which cause man to strive with man, and people with people.

Lead, we pray Thee, the nations of the world in the ways of peace, mutual help and good will, and hasten the time when the rulers of the nations shall confess, and know Thee as the King of Kings and Lord of Lords; through Jesus Christ our Lord. Amen.

### Salute to the Flag

Messrs. Pillsbury of Manchester and Pickett of Keene led the convention in the salute to the flag.

### Leaves of Absence

Mr. Frazer of Monroe was granted leave of absence for the week on account of illness in the family.

Mr. Urie of New Hampton was granted leave of absence for the week on account of important business.

Mr. Boisvert of Manchester was granted an indefinite leave of absence on account of important business.

### Report of Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 529, entitled "An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1956", having considered the same, report the same with the following recommendations:

I. That the House recede from its position of non-concurrence and concur with the amendments to said bill adopted by the Senate in connection with the following items:

Amend said bill by striking out in paragraph For executive branch: Office of governor, the words and figures "Other



personal services †19,440.00" and inserting in place thereof the words and figures, Other personal services †20,700.00. Further amend said paragraph by striking out the words and figures "Total \$36,190.00" and inserting in place thereof the words and figures, Total \$37,450.00. Further amend said paragraph by striking out the words and figures, "Total for governor's office \$69,490.00" and inserting in place thereof the words and figures, Total for governor's office \$70,750.00. Further amend said paragraph by striking out the words and figures "Total for executive branch \$154,890.00" and inserting in place thereof the words and figures, Total for executive branch \$156,150.00.

Amend the paragraph For judicial branch: For supreme court: by striking out the words and figures, "Other personal services 5,180.00" and inserting in place thereof the words and figures, Other personal services 5,380.00. Further amend said paragraph "For supreme court" by striking out the words and figures,

"Total	\$84,115.00
Less estimated revenue	680.00
Net appropriation	<u>\$83,435.00"</u>

and inserting in place thereof the words and figures,

Total	\$84,315.00
Less estimated revenue	680.00
Net appropriation	<u>\$83,635.00</u>

Further amend said paragraph "For judicial branch:" by striking out the words and figures "For judicial council \* 3,300.00" and inserting in place thereof the words and figures, For judicial council \* 4,200.00.

Further amend said paragraph by striking out the words and figures, "Total judicial branch \$266,350.00" and inserting in place thereof the words and figures, Total judicial branch \$267,450.00.

Amend the bill in the paragraph "For administration and control: Division of budget and control:" by striking out the words and figures, "Salary of budget analyst 5,500.00" and inserting in place thereof, Salary of assistant business super-

visor 6,000.00. Change the total as follows: \$75,352.06 changed to \$75,825.06.

Amend the paragraph "For administration and control: Division of purchase and property: Surplus food distribution:" by striking out said paragraph and inserting in place thereof the following:

Surplus food and commodities distribution:

Salary of director	\$5,000.00
Salary of supervisor of surplus food and commodities	4,558.20
Other personal services	4,940.00
Current expenses	24,235.00
Travel	2,500.00
Other expenditures:	
Employees' retirement	940.93
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Total	\$42,174.13‡
Less estimated revenue and balance	42,174.13‡
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Net appropriation	0.00
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‡ Authority is hereby given to utilize so much as may be necessary of the balance accumulated as of June 30, 1955 or any surplus accumulating during the fiscal year 1956 within this subdivision, to efficiently operate this division without the use of any other state funds.

Amend the paragraph For administration and control by striking out the words and figures "Total for administration and control \$465,437.86" and inserting in place thereof, Total for administration and control \$465,937.86.

Amend the paragraph For forestry division (forestry and recreation): District fire supervision by striking out the words and figures "Less estimated revenue and balance 63,173.00" and inserting in place thereof, Less estimated revenue and balance \*\*\* 63,173.00. Amend the paragraph For forestry division (forestry and recreation): Nursery: by striking out the words and figures, "Less estimated revenue and balance 11,116.75" and inserting in place thereof, Less estimated revenue and balance \*\*\* 11,116.75. Further amend said paragraph For

forestry division (forestry and recreation): by adding at the end thereof the following footnote: \*\*\* If the federal grant exceeds the above estimate, such excess may be expended with the approval of the governor and council for said purposes.

Amend the bill in the appropriation for public welfare: Medical pools: Old age assistance: by striking out the words and figures, "State's share 354,120.00" and inserting in place thereof the following: State's share 419,811.60.

Amend the bill in the appropriation for public welfare: Medical pools: Aid to needy blind: by striking out the words and figures, "State's share 23,615.28" and inserting in place thereof the words and figures, State's share 33,366.24.

Amend the bill in the appropriation for public welfare: Medical pools: Aid to permanently and totally disabled: by striking out the words and figures "State's share 15,984.00" and inserting in place thereof the words and figures, State's share 32,103.00.

Amend the bill in the appropriation for public welfare by striking out the words and figures "Total for public welfare \$2,823,925.60" and inserting in place thereof the words and figures, Total for public welfare \$2,915,487.16.

Further amend by striking out the words and figures "Net appropriation \$2,519,667.68" and inserting in place thereof, Net appropriation \$2,611,229.24.

Amend the bill in the appropriation for state police: by striking out the paragraph and inserting in place thereof the following:

For state police:

Salary of superintendent	\$8,175.00
Other personal services	351,666.24
Current expenses	30,600.00
Travel	86,500.00
Equipment	50,000.00
Other expenditures:	
Retirement	19,000.00

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Total for state police	\$545,941.24
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Less transfer from high-	
way fund	464,050.05

Net appropriation	<u>\$81,891.19</u>
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Amend the bill in the appropriation for Industrial School: Agriculture: by striking out the same and inserting in place thereof the following:

Agriculture:

Personal services	\$10,919.40
Current expenses	15,682.50
Equipment	589.00

Total	<u>\$27,190.90</u>
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Less credit	
transfer	\$19,275.00

Less estimated	
revenue	8,025.00
	<u>27,300.00</u>

Net reduction	<u>—109.10</u>
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Change total, and, net appropriation, as follows: \$327,366.25 changed to \$327,690.25; \$317,866.25 changed to \$318,190.25.

Amend the bill in the appropriation for prison industries by striking out the words and figures "Personal services \$67,119.31" and inserting in place thereof the words and figures, Personal services \$69,469.45. Further amend by changing the total, and, estimated revenue, as follows: \$214,254.31 changed to \$216,604.45.

Amend the bill in the appropriation for the University of New Hampshire by inserting in the footnote pertaining thereto, the following: In the fourth line insert after the word "sum," the words, not in excess of \$50,000.00, so that said footnote as amended shall read as follows:

\* It is estimated that the income received by the university from tuition charges will be \$1,072,000.00 for the year. In case this amount of income from this source is not received the state's appropriation for the university will be increased by such sum, not in excess of \$50,000.00, as represents the difference between \$1,072,000.00 and the amount actually re-

ceived from tuition charges. Such provisions of section 22 of chapter 222, Revised Laws (section 28, section 187, RSA) as may be inconsistent with the provisions of this note are hereby suspended for the fiscal year ending June 30, 1956. The provisions of section 18, chapter 222, Revised Laws (section 24, chapter 187, RSA) are suspended for the fiscal year ending June 30, 1956.

Amend the bill in the paragraph for liquor commission, Stores operation, by striking out said paragraph and inserting in place thereof the following:

Stores operation:

Personal services	\$604,503.69
Current expenses	200,500.00
Travel	8,500.00
Equipment	10,500.00
Other expenditures:	
Retirement	34,455.27
Total	<hr/> \$858,458.96

Change total for liquor commission, and revenue as follows: \$1,201,328.64 changed to \$1,219,798.81.

Amend the bill in the appropriation for racing commission by striking out the words and figures "Other personal services 30,147.60" and inserting in place thereof the words and figures, Other personal services 35,747.60.\* Change the totals for racing commission, and revenue as follows: \$41,927.60 changed to \$47,527.60.

\* Such portion of this amount as constitutes the compensation of the official steward or associate judge of the state racing commission, shall be reimbursed to the state by the person, association, or corporation conducting the race or meet.

Amend the bill in the appropriation for teachers' retirement system by striking out the words and figures "Current expenses 1,560.00" and inserting in place thereof, Current expenses 1,760.00. Further amend by striking out the words and figures "Travel 700.00" and inserting in place thereof, Travel 775.00. Change the total for teachers' retirement system as follows: \$280,214.00 changed to \$280,489.00.



Amend the bill in the appropriation for motor vehicle department, Inspectional services by striking out the words and figures, "Travel 18,000.00" and inserting Travel 22,200.00. Change total as follows: 93,814.04 changed to 98,014.04. Change total for motor vehicle department, and revenue as follows: \$502,539.29 changed to \$506,739.29.

The conference committee further recommends:

II. That the House recede from its position of non-concurrence in the balance of amendments to said bill, that the Senate recede from its position in adopting the balance of its amendments as to said other items and that the House and Senate concur in the adoption of the following amendments to said bill:

Amend said bill by striking out after the words "to wit:" all words and figures relative to the legislative branch and inserting in place thereof the following: A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expenses of the legislature, including \$28,950.00 for the office of legislative assistant to the appropriations and finance committees, as provided by sections 33-37, chapter 9 of the Revised Laws, as inserted by chapter 10, Laws of 1953 (sections 30-34, chapter 14 RSA), and \$9,750.00 for the office of research analyst to the legislative council. (Salary of legislative budget assistant \$8,500.00, other personal services \$18,700.00, current expenses \$850.00, travel \$800.00, equipment \$100.00). (Salary of research analyst \$5,250.00, secretary to analyst \$3,120.00, other expenses \$1,380.00)

Council of state governments	2,500.00
Legislative council *	2,500.00

Total for legislative branch	<u>\$280,000.00</u>
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\* The funds in this appropriation shall not lapse but shall be available for expenditure for the following year.

Amend the bill by striking out in the paragraph For adjutant general's department: Central administrative office: by striking out the words and figures, "State flags 120.00" and inserting in place thereof the words and figures, State flags 180.00; by striking out the words and figures, "Total \$35,077.56" and inserting in place thereof the words and figures, Total \$35,137.56.

Further amend the paragraph For adjutant general's department by striking out the words and figures,

"Total for adjutant general's

department	\$293,692.86
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Less estimated revenue	38,850.00
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Net appropriation	\$254,842.86"
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and inserting in place thereof the words and figures,

Total for adjutant general's depart-

ment	\$293,752.86
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Less estimated revenue	38,850.00
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Net appropriation	\$254,902.86
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Amend the paragraph For department of agriculture: Insect and plant disease control: by striking out the words and figures "Personal services \$24,240.00" and inserting in place thereof, Personal services \$23,240.00. Further amend said paragraph by striking out the word and figures "Travel 5,000.00" and inserting in place thereof, Travel 5,800.00. Change the total as follows: \$30,780.00 changed to \$30,580.00.

Amend the paragraph For department of agriculture: Milk control: by striking out the same and inserting in place thereof the following:

Personal services	\$11,318.17
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Current expenses	2,680.00
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Travel	1,600.00
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Equipment	1,287.50
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Total	\$16,885.67
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Less estimated revenue	16,885.67
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Net appropriation	0.00
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Amend the total for department of agriculture by striking out "\$331,289.90" and inserting the figure \$331,089.90.

Amend the bill in the paragraph For department of health: Administration: State, by striking out the words and figures, "Other personal services 23,363.90" and inserting in place thereof, other personal services 23,963.90\*\*.

\*\* Of this amount \$900.00 shall be for the part-time services of a Clerk I for the cancer commission.

Further amend said paragraph by striking out the words and figures "Current expenses 16,000.00" and inserting in place thereof the words and figures, Current expenses 17,000.00. Change the total "49,893.90" to \$51,493.90; change the net appropriation "46,083.90" to \$47,683.90.

Amend the paragraph for Department of health: Maternal and child health and crippled children's services: State, by inserting \* after the figure 60,000.00 and inserting at the end of the paragraph the following footnote:

\* The division of investigation of accounts shall investigate the ability to pay of patients and those legally chargeable for their support and maintenance for care, treatment or maintenance furnished hereunder and the expenses of said care, treatment or maintenance may be recovered in an action in the name of the state from the patient or those persons chargeable with his support where said person or persons have a weekly income or other resources more than sufficient to provide a reasonable subsistence compatible with decency and health.

Amend the bill in the paragraph for department of health, Maternal and child health and crippled children's services, federal, by striking out said paragraph and inserting in place thereof the following:

Maternal and child health and

crippled children's services, federal:

Personal services	\$17,437.50
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Current expenses	56,317.50
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Travel	2,000.00
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Other expenditures:

Convalescent care and clinics	40,000.00†
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Total	\$115,755.00
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*Less estimated revenue	115,755.00
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Net appropriation

0.00

Amend the paragraph For department of health: Commission on alcoholism: by striking out the same and inserting in place thereof the following:

Commission on alcoholism:

Personal services	\$32,259.20
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Current expenses	45,000.00
Travel	1,500.00
Equipment	700.00
Other expenditures:	
Medical and other expenses	2,000.00
	<hr/>
Total	\$81,459.20
Less estimated revenue	6,800.00
	<hr/>
Net appropriation	\$74,659.20

Amend the total appropriation for department of health: State, by striking out the figures "\$722,178.55" and inserting in place thereof the figures, \$723,778.55.

Amend the paragraph on convalescent care and clinics under maternal and child health and crippled children's services: Federal, by adding † after the figure 40,000.00.

Amend the paragraph For department of health by striking out the note at the end of the appropriation and inserting in place thereof the following new footnotes:

† This item may only be expended if federal funds are available restricted to this purpose, or if the total received from federal funds for this division shall exceed \$75,755.00 and said excess is available for crippled children's services, or if the board of health finds federal funds are not required in other items and such funds can be made available to this item without detriment to other programs. In no event shall the expenditures under convalescent care and clinics exceed the sum of \$40,000.00.

\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate such excess may be expended with the approval of the governor and council for said purposes, except as hereinabove provided.

Amend the bill in the paragraph For department of labor: Office of commissioner: by striking out said paragraph and inserting in place thereof the following:

Office of commissioner:	
Salary of commissioner	\$6,589.37
Other personal services	7,910.00

Current expenses	5,760.00
Travel	500.00
	<hr/>
Total	<u>\$20,759.37</u>

Amend the paragraph For department of labor: Inspections division: by striking out the same and inserting in place thereof the following:

Inspections division:	
Personal services	\$29,251.83
Current expenses	2,100.00
Travel	7,100.00
Equipment	180.00
	<hr/>
Total	<u>\$38,631.83</u>

Amend the appropriation For department of labor by striking out the words and figures, "Total for department of labor \$84,176.20" and inserting in place thereof, Total for department of labor 84,976.20.

Amend the bill in the appropriation For state treasury by inserting after the word and figures "Equipment 4,500.00" the following:

\*Other expenditures:—audit 5,000.00. Change the total as follows: \$84,030.50 changed to \$89,030.50.

Insert the following footnote to treasury department:

\*The legislative budget assistant shall designate a certified public accountant, not employed in state service, to make the annual audit of the state treasury and said legislative budget assistant may accept the findings and report of said certified public accountant as fulfilling the provisions of section 12-a, chapter 23-A of the Revised Laws (paragraph II, section 31, chapter 14, RSA), whereby the said legislative budget assistant is required to audit the accounts of the state treasurer.

Further amend the appropriation for state treasury by inserting Bounties 1,000.00. Change the total for state treasury as follows: \$151,225.77 changed to \$157,225.77.

Amend the bill in the appropriation for Laconia State School, Custodial care, by striking out the same and inserting in place thereof the following:



## Custodial care:

Personal services	\$100,864.22
Current expenses	200,000.00†
Travel	25.00
Equipment	6,000.00**
<hr/>	
Total	\$306,889.22

†In this appropriation \$74,000.00 shall be for products used from the institution's farm and no part of said sum shall be transferred to any other appropriation or expended for any other purpose.

\*\*In this appropriation \$4,000.00 shall be for purchases of mattresses and no part of this amount shall be expended for any other purpose.

Change the total, and net appropriation, as follows: \$811,959.98 changed to \$818,945.98; \$788,459.98 changed to \$795,445.98.

Amend the bill in the appropriation for board of education by striking out the paragraph for "Foundation aid" and inserting in place thereof the following:

## Foundation aid:

State aid to school districts	\$1,200,000.00†
Transportation, board, tuition	6,000.00
<hr/>	
Total	\$1,206,000.00

†See under area vocational school.

Amend the bill in the appropriation for board of education by inserting after the paragraph for education of the deaf, the following new paragraph:

## Area vocational schools:

Personal services	\$2,490.00
Current expenses	300.00
Travel	200.00
Other expenditures:	
Reimbursement to school districts	47,010.00
<hr/>	

Total	\$50,000.00
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Less transfer*	50,000.00
Net appropriation	0.00

\*The amount of \$50,000.00 herein provided for area vocational schools shall be a charge against the appropriation provided for state aid to school districts and the state board of education is authorized to discontinue said area vocational schools if it shall consider it desirable to do so.

Amend the bill in the appropriation for board of education by striking out the third footnote at the end of said appropriation and inserting in place thereof the following:

In addition to the above appropriation, said department shall receive for disbursement sums paid by school districts for the additional salaries of superintendents under the provisions of section 44, chapter 135, Revised Laws (section 44, chapter 189, RSA). The appropriation to cover the state's share for personal services for state-wide supervision is at the same rates of compensation as for the fiscal year 1954-1955. All helping teacher positions hereinafter established shall be only after a majority vote in each of the school districts in the supervisory union requesting the establishment of the position of helping teacher at their respective annual school district meetings. Any unexpended balance of appropriation by the state for this purpose being revenue from the so-called per capita tax as provided by section 12, chapter 138, Revised Laws (section 12, chapter 194, RSA) which is in excess of the amount expended for such supervision shall be paid over by the state treasurer to each school district in proportion to the total receipts from said school district. Any provisions of paragraph XXIII, section 11, chapter 134, of the Revised Laws, as amended by section 3, chapter 243 of the Laws of 1953 (paragraph XXIII, section 11, chapter 186, RSA) inconsistent with the provisions of this footnote are hereby suspended until June 30, 1956.

Amend the bill in the appropriation For water resources board by striking out the words and figures "Travel 2,075.00" and inserting in place thereof, Travel 2,325.00. Change total as follows: \$47,756.05 changed to \$48,006.05. Change total for water resources board as follows: \$61,681.05 changed to \$61,931.05. Change net appropriation as follows: \$52,181.05 changed to \$52,431.05.

Amend the bill in the appropriation for aeronautics commission by striking out the paragraph and inserting in place thereof the following:

For aeronautics commission:

Salary of director	\$6,720.00	
Other personal services	11,612.90	
Current expenses	2,400.00	
Travel	1,400.00	
Equipment	1,400.00	
		<hr/>
Total		\$23,532.90
Less estimated revenue		2,500.00
		<hr/>
Net appropriation		\$21,032.90
Airways toll fund*	7,500.00	
Less transfers and balance	7,500.00	
Net appropriation		0.00
		<hr/>
Total for aeronautics commission		\$21,032.90

\*Expenditures shall not exceed existing balances plus revenue.

Amend the bill in the appropriation for planning and development commission by striking out the figures "99, 109.95†" and inserting 106,609.95. Further amend by striking out the figures "90,000.00†" and inserting "82,500.00." Further amend said appropriation by striking out the footnote at the end thereof.

Amend the bill in the appropriation For state tax commission: Administration office of commission: by striking out the words and figures "Other personal services 46,982.73" and inserting in place thereof, other personal services 43,060.23. \$94,633.73 changed to \$90,711.23.

Amend the bill in the appropriation for state tax commission, Municipal account: by striking out the words and figures, "Less estimated revenue 15,000.00" and inserting in place thereof the words and figures, less estimated revenue 24,000.00. Change net appropriation as follows: \$33,295.57 changed to 24,295.57. Change total for tax commission as follows: \$199,646.80 changed to \$186,724.30.

Amend the bill in the appropriation for fish and game department, Conservation: by striking out the paragraph and inserting in place thereof the following:

Conservation:

Personal services	\$158,762.44
Current expenses	18,000.00
Travel	71,000.00
Equipment	6,500.00
	<hr/>
Total	<u>\$254,262.44</u>

Further amend the appropriation for fish and game department by changing the total for fish and game department and the estimated revenue and balance as follows: \$1,059,502.26 changed to \$1,034,502.26.

Amend the appropriation for fish and game department by striking out the footnote at the end thereof and inserting in place thereof the following:

In addition to the above appropriation, the fish and game department may receive for disbursement any unexpended balances from previous years. Such balances shall be expended under the direction of the fish and game commission with the approval of the governor and council. Any sums received as revenue in excess of the estimated amounts hereunder may be expended by the director of fish and game, with the approval of the governor and council, for the purchase of state motor vehicles for the use of such conservation officers as desire to use state-owned motor vehicles.

Amend the bill by striking out the words and figures, "Total net appropriation \$16,958,021.24" and inserting, Total net appropriation \$17,057,140.30.

Further amend said bill by inserting after section 4 the following new sections:

5. *Business Supervisor.* Amend section 21 of chapter 23-A of the Revised Laws, as inserted by section 1, part 6, chapter 5, Laws of 1950 (section 36, chapter 8, RSA) by adding at the end thereof the following: (4) advise with the respective executive heads, boards, and commissions of the various state departments in relation to establishment, supervision and

maintenance of uniform and efficient business records, business practices and business management, and to perform such other duties of assisting the state departments as the comptroller may require of him. (5) Subject to the approval of the comptroller the business supervisor may appoint an assistant business supervisor who shall receive such salary as may be provided by appropriation therefor.

6. *Legislative Council.* Amend chapter 9 of the Revised Laws (chapter 14 RSA) by inserting after section 25 the following new section: 25-a. *Research Analyst.* There shall be a research analyst attached to the legislative council. The deputy legislative budget assistant in office at the time of the passage of this act shall become the research analyst and shall receive such salary as shall be determined by the legislature. She shall be reimbursed for actual expenses when engaged in the duties of research problems in connection with legislative matters. The position of deputy legislative budget assistant is hereby abolished and any reference to said officer in the statutes inconsistent with the provisions hereof is hereby repealed to the extent of such inconsistency. Said analyst shall attend all hearings on state budgets. Sections 2 and 3 of this act shall not apply or affect in any way the analyst or her secretary. Any supplies and equipment which have been assigned to the use of the deputy legislative budget assistant are hereby transferred to the research analyst.

Further amend said bill by renumbering section 5 to read section 7.

W. D. SCAMMAN,  
JOHN PILLSBURY,  
JESSE ROWELL,  
NATHANIEL F. DAVIS,  
FRANK H. SHERIDAN,

*Conferees on the Part of the House.*

DEAN B. MERRILL,  
NORMAN A. McMEEKIN,  
ERALSEY C. FERGUSON,

*Conferees on the Part of the Senate.*

On motion of Mr. Scamman of Stratham, reading of the report was dispensed with.



On motion of the same member the report of the Committee of Conference was agreed to.

### Report of Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 530 entitled "An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1957", having considered the same, report the same with the following recommendations:

I. That the House recede from its position of non-concurrence and concur with the amendments to said bill adopted by the Senate in connection with the following items:

Amend said bill by striking out in paragraph For executive branch: Office of governor, the words and figures, "Other personal services †19,940.00" and inserting in place thereof the words and figures, Other personal services †21,490.00. Further amend said paragraph by striking out the word and figures, "Total \$37,190.00" and inserting in place thereof the word and figures, Total \$38,740.00. Further amend said paragraph by striking out the words and figures, "Total for governor's office \$54,490.00" and inserting in place thereof the words and figures, Total for governor's office \$56,040.00. Further amend said paragraph by striking out the words and figures "Total for executive branch \$141,490.00" and inserting in place thereof the words and figures, Total for executive branch \$143,040.00.

Amend the paragraph For Judicial branch: For supreme court: by striking out the words and figures "Other personal services 5,180.00" and inserting in place thereof the words and figures, Other personal services 5,380.00. Further amend said paragraph "For Supreme court" by striking out the words and figures,

"Total	\$84,370.00
Less estimated revenue	680.00

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Net appropriation	\$83,690.00"
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and inserting in place thereof the words and figures,

Total	\$84,570.00
Less estimated revenue	680.00

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Net appropriation	\$83,890.00
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Further amend said paragraph For judicial branch by striking out the words and figures "For judicial council 3,300.00" and inserting in place thereof the words and figures, For judicial council 4,200.00. Further amend said paragraph by striking out the words and figures, "Total for judicial branch \$267,407.67" and inserting in place thereof the words and figures, Total for judicial branch \$268,507.67.

Amend the bill in the appropriation For administration and control: Division of budget and control: by striking out the words and figures, "Salary of budget analyst 5,665.00" and inserting in place thereof the words and figures, Salary of assistant business supervisor 6,165.00. Change the total as follows: \$50,406.86 changed to \$50,906.86.

Amend the paragraph For administration and control: Division of purchase and property: Surplus food distribution: by striking out said subsection and inserting in place thereof the following:

Surplus food and commodities distribution:

Salary of director	\$5,150.00
Salary of supervisor of surplus	
food and commodities	4,782.90
Other personal services	5,180.00
Current expenses	24,245.00
Travel	2,500.00
Equipment	70.00
Other expenditures:	
Employees' retirement	980.83
Total	<hr/> \$42,908.73‡
Less estimated revenue	
and balance	<hr/> 42,908.73

Net appropriation	0.00
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‡ Authority is hereby given to utilize so much as may be necessary of the balance accumulated as of June 30, 1955 or any surplus accumulating during the fiscal years 1956 and 1957 within this subdivision, to efficiently operate this division without the use of any other state funds.

Amend said paragraph For administration and control by striking out the words and figures, "Total for administration

and control \$433,815.58" and inserting in place thereof, Total for administration and control, \$434,315.58.

Amend the paragraph For forestry division (forestry and recreation): District fire supervision: by striking out the words and figures, "Less estimated revenue and balance 53,-173.00" and inserting in place thereof, Less estimated revenue and balance \*\*\*63,173.00. Amend said paragraph For forestry division (forestry and recreation): Nursery: by striking out the words and figures, "Less estimated revenue and balance 11,116.75" and inserting in place thereof, Less estimated revenue and balance \*\*\*11,116.75. Further amend said paragraph For forestry division (forestry and recreation): by adding at the end thereof the following note:

\*\*\* If the federal grant exceeds the above estimate, such excess may be expended with the approval of the governor and council for said purposes.

Amend the bill in the appropriation For recreation division (forestry and recreation) by inserting at the end thereof the following footnotes:

In purchasing supplies for resale under this division, preference shall be given to the purchase of products (1) manufactured in New Hampshire, and (2) products distributed by resident persons, firms, or corporations, in that order.

The forestry and recreation division shall not charge admission for any children of New Hampshire residents living within ten miles of the Wellington State Park who are under the age of sixteen years. New Hampshire residents living within ten miles who are sixteen and older shall be admitted at a special lower rate of admission to be based on the operating cost of the said park for the previous year.

Amend the bill in the appropriation for state police, by striking out the same and inserting in place thereof the following:

For state police:

Salary of superintendent	\$8,400.00
Other personal services	356,045.21
Current expenses	30,600.00
Travel	86,500.00
Equipment	50,000.00

## Other expenditures:

Retirement	19,000.00	
		<hr/>
Total for state police	\$550,545.21	
Less transfer from highway	\$467,963.43	
		<hr/>
Net appropriation		\$82,581.78

Amend the bill in the appropriation for industrial school, Agriculture, by striking out the same and inserting in place thereof the following:

## Agriculture:

Personal services	\$11,203.24
Current expenses	15,682.50
Equipment	264.00

Total	\$27,149.74
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Less credit transfer	19,875.00
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Less estimated revenue	8,025.00	27,900.00
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Net reduction		—750.26
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Change total, and net appropriation as follows: \$332,495.55 changed to \$332,171.55; \$322,995.55 changed to \$322,671.55.

Amend the bill in the appropriation for prison industries, by striking out the words and figures "Personal services \$67,456.51" and inserting in place thereof, Personal services \$69,926.51. Further amend by changing the total, and estimated revenue as follows: Change \$214,591.51 to \$217,061.51.

Amend the bill in the appropriation for the University of New Hampshire by inserting in the footnote relative thereto the following: In the fourth line insert after the word "sum," the words, not in excess of \$50,000.00, so that said footnote as amended shall read as follows:

"It is estimated that the income received by the university from tuition charges will be \$1,072,000.00 for the year. In case this amount of income from this source is not received the state's appropriation for the university will be increased

by such sum, not in excess of \$50,000.00, as represents the difference between \$1,072,000.00 and the amount actually received from tuition charges. Such provisions of section 22, of chapter 222, Revised Laws (section 28, chapter 187, RSA) as may be inconsistent with the provisions of this note are hereby suspended for the fiscal year ending June 30, 1957. The provisions of section 18, chapter 222, Revised Laws (section 24, chapter 187, RSA) are suspended for the fiscal year ending June 30, 1957.

Amend the bill in the appropriation for liquor commission, Stores operation, by striking out the same and inserting in place thereof the following:

Stores operation:

Personal services	\$609,681.50
Current expenses	200,500.00
Travel	8,500.00
Equipment	7,500.00
Other expenditures:	
Retirement	35,471.69

Total	\$861,653.19
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Change total for liquor commission, and revenue as follows: \$1,215,104.64 changed to \$1,231,844.23.

Amend the bill in the appropriation for racing commission by striking out the words and figures, "Other personal services 30,147.60" and inserting in place thereof the words and figures, Other personal services \$35,747.60\*. Change total for racing commission, and revenue as follows: \$42,027.60 changed to \$47,627.60.

\* Such portion of this amount as constitutes the compensation of the official steward or associate judge of the state racing commission, shall be reimbursed to the state by the person, association, or corporation conducting the race or meet.

Amend the bill in the appropriation for teachers' retirement system by striking out the words and figures, "Current expenses 1,560.00" and inserting, Current expenses 1,760.00. Further amend by striking out the word and figures, "Travel 700.00" and inserting, Travel 775.00. Change the total for teachers' retirement system as follows: \$304,748.00 changed to \$305,023.00.



Amend the bill in the appropriation for motor vehicle department, Inspectional services, by striking out the words and figures, "Travel 16,000.00" and inserting in place thereof, Travel 18,200.00. Change the total as follows: 98,875.99 changed to 101,075.99. Change Total for motor vehicle department, and revenue as follows: \$508,912.08 changed to \$511,112.08.

Amend the bill in the appropriation For fish and game department, Conservation, by striking out the same and inserting in place thereof the following:

Conservation:

Personal services	\$160,532.49
Current expenses	18,000.00
Travel	71,000.00
Equipment	6,500.00

Total	\$256,032.49
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Further amend the appropriation For fish and game department by changing the total for fish and game department, and the estimated revenue and balance as follows: \$1,018,370.80 changed to \$1,043,370.80.

The conference committee further recommends:

II. That the House recede from its position of non-concurrence in the balance of amendments to said bill, that the Senate recede from its position in adopting the balance of its amendments as to said other items, and that the House and Senate concur in the adoption of the following amendments to said bill:

Amend said bill by striking out after the words "to wit" all words and figures relative to the legislative branch and inserting in place thereof the following: A continuing appropriation which shall not lapse, shall not be transferred to any department, institution or account, and which shall be for the expenses of the legislature, including \$29,750.00 for the office of legislative assistant to the appropriations and finance committees, as provided by sections 3-34, chapter 14, RSA, and including \$9,750.00 for the office of research analyst to the legislative council. (Salary of legislative budget assistant \$8,500.00, other personal services \$19,500.00, current expenses \$850.00, Travel \$800.00, equipment \$100.00). (Salary of research analyst

\$5,250.00, secretary to analyst \$3,250.00, other expenses  
\$1,230.00) \$275,000.00

Council of state governments 2,500.00

Legislative council 2,500.00

5,000.00

Total for legislative branch \$280,000.00

Amend the bill in the paragraph For adjutant general's department: Central administrative office: by striking out the words and figures, "State flags 120.00" and inserting in place thereof the words and figures, State flags 180.00. Further amend said paragraph by striking out the words and figures, "Total \$35,002.63" and inserting in place thereof the word and figures, Total \$35,062.63.

Amend the totals for adjutant general's department to read as follows:

Total for adjutant general's

department \$301,906.83

Less estimated revenue 39,322.50

Net appropriation \$262,584.33

Amend the paragraph For department of agriculture: Insect and plant disease control: by striking out "Personal services \$24,318.84" and inserting in place thereof, Personal services \$23,318.84. Further amend said paragraph by striking out, "Travel 5,000.00" and inserting in place thereof, Travel 5,800.00. Change the total as follows: 30,743.84 to 30,543.84.

Amend the paragraph For department of agriculture: Milk control: by striking out the same and inserting in place thereof the following:

Personal services \$11,510.00

Current expenses 2,680.00

Travel 1,600.00

Equipment 187.50

Total \$15,977.50

Less estimated revenue 15,977.50

Net appropriation 0.00

Amend the paragraph For department of agriculture: by striking out "Total for department of agriculture \$324,081.57" and inserting in place thereof, Total for department of agriculture \$323,881.57.

Amend the bill in the appropriation For department of health, Administration: State, by striking out the words and figures, "Other personal services 23,463.90" and inserting in place thereof, Other personal services 24,063.90.\*\*

\*\* Of this amount \$900.00 shall be for the part-time services of a Clerk I for the cancer commission.

Further amend said paragraph by striking out the words and figures, "Current expenses 16,000.00" and inserting in place thereof, Current expenses 17,000.00.

Change the total and net appropriation as follows: \$50,-263.90 changed to \$51,863.90; \$46,443.90 changed to \$48,043.90.

Amend the paragraph for department of health: maternal and child health and crippled children's services, state, by inserting \* after the figures, 60,000.00, and by inserting at the end of the paragraph the following footnote:

\* The division of investigation of accounts shall investigate the ability to pay of patients and those legally chargeable for their support and maintenance for care, treatment or maintenance furnished hereunder and the expenses of said care, treatment or maintenance may be recovered in an action in the name of the state from the patient or those persons chargeable with his support where said person or persons have a weekly income or other resources more than sufficient to provide a reasonable subsistence compatible with decency and health.

Amend the bill in the paragraph for Department of health, maternal and child health and crippled children's services, federal, by striking out said paragraph and inserting in place thereof the following:

Maternal and child health and

crippled children's services, federal:

Personal services	\$17,527.50
Current expenses	56,227.50
Other expenditures:	
Travel	2,000.00

Convalescent care and clinics	40,000.00†
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Total	\$115,755.00
Less estimated revenue	115,755.00

Net appropriation	0.00
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Amend the bill in the appropriation For department of health, Commission on alcoholism, by striking out the same and inserting in place thereof the following:

Commission on alcoholism:

Personal services	\$32,862.70
Current expenses	45,000.00
Travel	1,500.00
Equipment	200.00

Other expenditures:

Medical and other expenses	2,000.00
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Total	\$81,562.70
Less estimated revenue	6,800.00

Net appropriation	\$74,762.70
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Amend the bill in the appropriation For department of health by striking out the words and figures, "Total for department of health: state, \$643,819.15" and inserting in place thereof, Total for department of health \$645,419.15.

Amend the paragraph on convalescent care and clinics under maternal and child health and crippled children's services, federal, by adding ‡ after the figures, 40,000.00.

Amend the paragraph For department of health by striking out the note at the end of the appropriation and inserting in place thereof the following new footnotes:

‡ This item may be expended only if federal funds are available restricted to this purpose, or if the total received from federal funds for this division shall exceed \$75,755.00 and said excess is available for crippled children's services, or if the board of health finds federal funds are not required in other items and such funds can be made available to this item without detriment to other programs. In no event shall the expenditures under convalescent care and clinics exceed the sum of \$40,000.00.

\* This amount available for expenditure only if funds are available as a federal grant. If the federal grant exceeds the above estimate, such excess may be expended with the approval of the governor and council for said purposes, except as hereinabove provided.

Amend the bill in the appropriation For department of labor, Office of commissioner, by striking out the same and inserting in place thereof the following:

Office of commissioner:

Salary of commissioner	\$6,784.37
Other personal services	7,910.00
Current expenses	7,260.00
Travel	500.00

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Total	\$22,454.37
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Amend the bill in the appropriation for department of labor, Inspections division, by striking out the same and inserting in place thereof the following:

Inspections division:

Personal services	\$29,611.50
Current expenses	2,100.00
Travel	7,100.00
Equipment	100.00

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Total	\$38,911.50
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Amend the bill in the appropriation For department of labor, Workmen's compensation division, by inserting after the figures "100.00" the following: Equipment 300.00. Change the total as follows: 23,657.83 changed to 23,957.83.

Amend the bill in the appropriation For department of labor, by striking out "Total for department of labor \$84,323.70" and inserting in place thereof, Total for department of labor, \$85,423.70.

Amend the bill in the appropriation for state treasury by inserting after the word and figures, "Equipment 3,000.00" the following: \* Other expenditures — audit, 2,000.00. Change the total as follows: \$84,156.00 changed to \$86,156.00.

\* The legislative budget assistant shall designate a certified public accountant, not employed in state service, to make



the annual audit of the state treasury and said legislative budget assistant may accept the findings and report of said certified public accountant as fulfilling the provisions of section 12-a, chapter 23 (paragraph II, section 31, chapter 14, RSA) of the Revised Laws, whereby the said legislative budget assistant is required to audit the accounts of the state treasurer.

Further amend the appropriation for state treasury by inserting before "trust funds" the word and figures, Bounties 1,000.00. Change the total for state treasury as follows: Change \$151,351.27 to \$154,351.27.

Amend the bill in the appropriation for Laconia State School, Custodial care, by striking out the same and inserting in place thereof the following:

Custodial care:

Personal services	\$102,812.55
Current expenses	200,000.00†
Travel	25.00
Equipment	6,000.00
<hr/>	
Total	\$308,837.55

Change the total, and net appropriation as follows: \$817,-247.65 changed to \$823,733.65; \$793,747.65 changed to \$800,-233.65.

† In this appropriation \$74,000.00 shall be for products used from the institution's farm and no part of said sum shall be transferred to any other appropriation or expended for any other purpose.

Amend the bill in the appropriation For state sanatorium by inserting ‡ after figures for personal services under paragraph For administration and by inserting at the end of said paragraph the following:

‡ Of this amount the sum of \$1,000.00 shall be paid to the superintendent, in addition to his regular salary, for extra work in connection with out patient services.

Amend the bill in the appropriation For board of education, by striking out the paragraph for Foundation aid, and inserting in place thereof the following new paragraph:

## Foundation aid:

State aid to school districts \$1,200,000.00\*

Transportation, board, tuition 6,000.00

## Total

\$1,206,000.00

\* See under area vocational schools.

Amend the bill in the appropriation for board of education by inserting after the paragraph For education of the deaf, the following new paragraph:

## Area vocational schools:

Personal services \$2,610.00

Current expenses 300.00

Travel 200.00

## Other expenditures:

 Reimbursement to school  
 districts 47,000.00

## Total

\$50,110.00

Less transfer \*

50,110.00

## Net appropriation

0.00

\* The amount of 50,110.00 herein provided for area vocational schools shall be a charge against the appropriation provided for state aid to school districts and the state board of education is authorized to discontinue said area vocational schools if it shall consider it desirable to do so.

Amend the bill in the appropriation For board of education by striking out the third footnote at the end of said appropriation and inserting in place thereof the following:

In addition to the above appropriation said department shall receive for disbursement sums paid by school districts for the additional salaries of superintendents under the provisions of section 44, chapter 135, Revised Laws (section 44, chapter 189, RSA). The appropriation to cover the state's share for personal services for state-wide supervision is at the same rates of compensation as for the fiscal year 1954-1955. All helping teacher positions hereinafter established shall be only after a majority vote in each of the school districts in the supervisory union requesting the establishment of the position of helping teacher at their respective annual school district meetings. Any

unexpended balance of the appropriation by the state for this purpose being revenue from the so-called per capita tax as provided by section 12, chapter 194, RSA which is in excess of the amount expended for such supervision shall be paid over by the state treasurer to each school district in proportion to the total receipts from said school district. Any provisions of paragraph XXIII, section 11, chapter 186, RSA inconsistent with the provisions of this footnote are hereby suspended until June 30, 1957.

Amend the bill in the appropriation for water resources board by striking out the words and figures "Travel 2,075.00" and inserting in place thereof the word and figures, Travel 2,325.00. Change the total as follows: \$46,014.40 changed to \$46,264.40. Change the total for water resources board from \$59,939.40 to \$60,189.40. Change net appropriation from \$50,439.40 to \$50,689.40.

Amend the bill in the appropriation for aeronautics commission by striking out the paragraph and inserting in place thereof the following:

For aeronautics commission:

Salary of director	\$6,900.00	
Other personal services	11,792.90	
Current expenses	2,200.00	
Travel	1,400.00	
Equipment	100.00	
		<hr/>
Total		\$22,392.90
Less estimated revenue		2,700.00
		<hr/>
Net appropriation		\$19,692.90
Airways toll fund *	\$7,800.00	
Less transfers and balance	7,800.00	
		<hr/>
Net appropriation		0.00
		<hr/>
Total for aeronautics commission		\$19,692.90

\* Expenditures shall not exceed existing balances plus revenue.

Amend the bill in the appropriation for planning and development by striking out the footnote and by striking out the

mark after the figures referring to said footnote. Further amend by striking out the figures "100,937.50" and inserting in place thereof the figures, 108,437.50. Further amend by striking out the figures "90,000.00" and inserting in place thereof, 82,500.00.

Amend the bill in the appropriation For state tax commission, Office of commission: by striking out and inserting in place thereof the following:

Office of commission:

Salary of two commissioners	\$14,170.00
Salary of secretary	8,520.00
Other personal services	43,754.10
Current expenses	13,090.00
Travel	12,000.00
Equipment	1,392.00
<hr/>	
Total	\$92,926.10
Less estimated refunds	1,500.00
<hr/>	
Net appropriation	\$91,426.10

Amend the bill in the appropriation For state tax commission, Municipal accounting, by striking out the words and figures "Less estimated revenue 15,000.00" and inserting in place thereof the words, and figures, Less estimated revenue 24,000.00. Change net appropriation as follows: 33,420.90 changed to 24,420.90. Change total for tax commission as follows: \$201,237.70 changed to \$188,177.70.

Amend the bill by striking out the words and figures, "Total net appropriation \$17,210,873.23" and inserting in place thereof, Total net appropriation \$17,214,535.23.

W. D. SCAMMAN,  
JOHN PILLSBURY,  
JESSE ROWELL,  
NATHANIEL F. DAVIS,  
FRANK H. SHERIDAN,

*Conferees on the Part of the House.*

DEAN B. MERRILL,  
NORMAN A. McMEekin,  
ERALSEY C. FERGUSON,

*Conferees on the Part of the Senate.*

On motion of Mr. Scamman of Stratham, reading of the report was dispensed with.

On motion of the same member the report of the Committee of Conference was agreed to.

### Committee Reports

Mr. Davis of Hopkinton, for the Committee on Appropriations, to whom was referred House Bill No. 125, An Act repealing a certain appropriation for the so-called children's study home, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mrs. Atwood of Sanbornton moved that the words "ought to pass" be substituted for the words, inexpedient to legislate.

The question being on the motion.

(Discussion ensued)

Mesdames Atwood of Sanbornton, Taylor of Whitefield and Goodwin of Hollis, and Mr. Pillsbury of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion prevailed.

Mrs. Atwood of Sanbornton offered the following amendment:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to mental hygiene clinics.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Mental Hygiene Clinic for Children*. Any balance of the appropriation provided by section 9 of chapter 279 of the Laws of 1947, as extended by section 8, chapter 8, Laws of 1950, section 1, chapter 164, Laws of 1951, and amended by chapter 240, Laws of 1953 and the authority to issue bonds or notes thereunder shall not lapse but shall be continued and made available for the purposes specified hereinafter. The sum of not exceeding one hundred and forty thousand dollars shall be expended under the direction of the governor and council for the construction of a building at the location specified in chapter 240, Laws of 1953, together with furniture, furnish-



ings and equipment for said building, for an out-patient mental hygiene clinic for children, provided that any federal funds received for the purposes of construction of mental hygiene clinics shall be applied to reduce the amount of state appropriations hereunder.

2. *Disposition of Winant Property.* When the building specified in section 1 is ready for occupancy the so-called Winant property shall be disposed of by the governor and council. The proceeds from the sale of said property shall be paid to the state treasurer who shall apply the same to a reduction of the bonded debt of the state.

3. *In-Patient Clinic.* The governor and council, after consultation with the director of children's clinics and with the commission on mental health, are hereby directed to have prepared plans for an in-patient mental hygiene clinic for children at the same location as the out-patient mental hygiene clinic. The plans for said in-patient clinic, together with the cost of the same shall be submitted to the legislature of 1957. The cost of the plans for the in-patient clinic shall be a charge against the appropriation referred to in section 1.

4. *Takes Effect.* This act shall take effect upon its passage.

The question being on the amendment.

Mrs. Atwood of Sanbornton spoke in favor of the amendment.

Mr. Pillsbury of Manchester offered the following amendment:

Amend the amendment by striking out section 3 and re-numbering section 4 to read section 3.

The question being on the amendment.

(Discussion ensued)

Mr. Pillsbury of Manchester spoke in favor of the amendment.

Mrs. Atwood of Sanbornton and Mrs. Millar of Claremont spoke against the amendment.

The Speaker declared a five-minute recess.

#### After Recess

Mr. Pillsbury of Manchester withdrew his amendment.

The same member offered the following amendment.

Amend section 3 of the amendment by striking out the same and inserting in place thereof the following:

3. *In-Patient Clinic.* The commission on mental health is hereby directed to have prepared plans for an in-patient mental hygiene clinic for children at the same location as the out-patient mental hygiene clinic. The plans for said in-patient clinic, together with the cost of the same shall be submitted to the governor and council for submission to the legislature of 1957. The cost of the plans for the in-patient clinic shall be a charge against the appropriation referred to in section 1.

The question being on the amendment.

Mr. Pickett of Keene spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

The question being on the amendment as amended.

On a *viva voce* vote the amendment as amended was adopted and the bill ordered to a third reading.

Mr. Rowell of Newport, for the Committee on Appropriations, to whom was referred Senate Bill No. 126, An Act relative to mileage allowances for legislative officers and employees, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted.

Mr. Pillsbury of Manchester offered the following amendment:

Amend the title of the bill by adding at the end thereof the words, and establishing a new apportionment for the assessment of public taxes, so that said title as amended shall read as follows:

An Act relative to mileage allowances for legislative officers and employees and establishing a new apportionment for the assessment of public taxes.

Amend the bill by inserting after section 1 the following new sections:

12. *Apportionment.* That of every thousand dollars of public taxes hereafter to be raised, the proportion which each town and place shall pay, and for which the treasurer of the state is hereby authorized to issue his warrant, shall be as follows, to wit:

**Rockingham County, \$151.36**

Atkinson, one dollar and two cents .....	\$1.02
Auburn, one dollar and forty-eight cents .....	1.48
Brentwood, one dollar and three cents .....	1.03
Candia, one dollar and thirty-nine cents .....	1.39
Chester, one dollar and thirty-four cents .....	1.34
Danville, eighty cents .....	0.80
Deerfield, one dollar and thirty-nine cents .....	1.39
Derry, eight dollars and eighty-nine cents .....	8.89
East Kingston, seventy cents .....	0.70
Epping, one dollar and ninety-two cents .....	1.92
Exeter, twelve dollars and thirty-three cents .....	12.33
Fremont, eighty-nine cents .....	0.89
Greenland, one dollar and forty-seven cents .....	1.47
Hampstead, one dollar and ninety cents .....	1.90
Hampton, fourteen dollars and sixty-two cents .....	14.62
Hampton Falls, one dollar and fifty-eight cents .....	1.58
Kensington, eighty cents .....	0.80
Kingston, two dollars and forty-two cents .....	2.42
Londonderry, two dollars and seventy-one cents .....	2.71
New Castle, one dollar and ninety cents .....	1.90
Newfields, sixty-three cents .....	0.63
Newington, two dollars and thirty-two cents .....	2.32
Newmarket, four dollars and four cents .....	4.04
Newton, one dollar and thirty-eight cents .....	1.38
North Hampton, four dollars and ten cents .....	4.10
Northwood, two dollars and six cents .....	2.06
Nottingham, one dollar and ten cents .....	1.10
Plaistow, three dollars and thirty-eight cents .....	3.38
Portsmouth, forty-five dollars and eight cents .....	45.08
Raymond, one dollar and ninety-four cents .....	1.94
Rye, seven dollars and eight cents .....	7.08
Salem, eight dollars and seventy-four cents .....	8.74
Sandown, eighty-six cents .....	0.86
Seabrook, three dollars and forty-two cents .....	3.42
South Hampton, fifty-three cents .....	0.53
Stratham, one dollar and forty-four cents .....	1.44
Windham, two dollars and sixty-eight cents .....	2.68

**Strafford County, \$83.54**

Barrington, one dollar and forty-five cents .....	\$1.45
Dover, twenty-eight dollars and thirty-eight cents ...	28.38

Durham, four dollars and fifty-seven cents .....	4.57
Farmington, three dollars and forty-eight cents .....	3.48
Lee, eighty cents .....	0.80
Madbury, seventy-nine cents .....	0.79
Middleton, twenty-one cents .....	0.21
Milton, two dollars and thirty-eight cents .....	2.38
New Durham, one dollar and twenty-six cents .....	1.26
Rochester, twenty-three dollars and thirty cents ....	23.30
Rollinsford, two dollars and eighty-eight cents .....	2.88
Somersworth, twelve dollars and fifty-five cents .....	12.55
Strafford, one dollar and forty-nine cents .....	1.49

**Belknap County, \$60.50**

Alton, four dollars and five cents .....	\$4.05
Barnstead, one dollar and thirty-five cents .....	1.35
Belmont, two dollars and one cent .....	2.01
Center Harbor, one dollar and thirty-two cents .....	1.32
Gilford, five dollars and seventeen cents .....	5.17
Gilmanton, one dollar and sixty-four cents .....	1.64
Laconia, thirty-one dollars and nineteen cents .....	31.19
Meredith, six dollars and twenty-nine cents .....	6.29
New Hampton, two dollars and three cents .....	2.03
Sanbornton, one dollar and fifty-eight cents .....	1.58
Tilton, three dollars and eighty-seven cents .....	3.87

**Carroll County, \$40.53**

Albany, forty-five cents .....	\$0.45
Bartlett, one dollar and seventy-six cents .....	1.76
Brookfield, fifty-eight cents .....	0.58
Chatham, twenty-eight cents .....	0.28
Conway, eight dollars and thirty cents .....	8.30
Eaton, thirty-four cents .....	0.34
Effingham, seventy-six cents .....	0.76
Freedom, one dollar and twelve cents .....	1.12
Hart's Location, three cents .....	0.03
Jackson, one dollar and sixteen cents .....	1.16
Madison, one dollar and thirty-one cents .....	1.31
Moultonborough, four dollars and forty-two cents ...	4.42
Ossipee, three dollars and five cents .....	3.05
Sandwich, two dollars and eleven cents .....	2.11
Tamworth, one dollar and ninety-nine cents .....	1.99

Tuftonboro, three dollars and twenty-six cents .....	3.26
Wakefield, two dollars and fifty-six cents .....	2.56
Wolfeboro, seven dollars and five cents .....	7.05

### Merrimack County, \$101.06

Allenstown, two dollars and twelve cents .....	\$2.12
Andover, two dollars and twenty-four cents .....	2.24
Boscawen, two dollars and one cent .....	2.01
Bow, two dollars and ninety-one cents .....	2.91
Bradford, one dollar and thirty-three cents .....	1.33
Canterbury, seventy-eight cents .....	0.78
Chichester, one dollar and three cents .....	1.03
Concord, forty-three dollars and forty-eight cents ..	43.48
Danbury, forty-nine cents .....	0.49
Dunbarton, ninety-two cents .....	0.92
Epsom, one dollar and twenty-two cents .....	1.22
Franklin, ten dollars and forty-nine cents .....	10.49
Henniker, two dollars and thirty-three cents .....	2.33
Hill, seventy-eight cents .....	0.78
Hooksett, three dollars and ninety-five cents .....	3.95
Hopkinton, three dollars and ninety-six cents .....	3.96
Loudon, one dollar and twenty-four cents .....	1.24
Newbury, two dollars and three cents .....	2.03
New London, four dollars and fifteen cents .....	4.15
Northfield, one dollar and sixty-nine cents .....	1.69
Pembroke, three dollars and seventy-two cents .....	3.72
Pittsfield, three dollars and one cent .....	3.01
Salisbury, sixty-five cents .....	0.65
Sutton, one dollar and twenty-two cents .....	1.22
Warner, one dollar and eighty-eight cents .....	1.88
Webster, eighty cents .....	0.80
Wilmot, sixty-three cents .....	0.63

### Hillsborough County, \$269.17

Amherst, three dollars and forty-six cents .....	\$3.46
Antrim, one dollar and ninety-six cents .....	1.96
Bedford, four dollars and ninety-nine cents .....	4.99
Bennington, one dollar and thirty-four cents .....	1.34
Brookline, one dollar and six cents .....	1.06
Deering, seventy-two cents .....	0.72
Francestown, one dollar and twenty-five cents .....	1.25



Goffstown, seven dollars and sixty-seven cents . . . . .	7.67
Greenfield, one dollar and eighteen cents . . . . .	1.18
Greenville, one dollar and fifty-four cents . . . . .	1.54
Hancock, one dollar and eighty-five cents . . . . .	1.85
Hillsborough, three dollars and fifty-two cents . . . . .	3.52
Hollis, two dollars and twenty-five cents . . . . .	2.25
Hudson, five dollars and thirty-two cents . . . . .	5.32
Litchfield, seventy-one cents . . . . .	0.71
Lyndeborough, seventy-nine cents . . . . .	0.79
Manchester, one hundred thirty-eight dollars and eight cents . . . . .	138.08
Mason, fifty-four cents . . . . .	0.54
Merrimack, three dollars and twenty-one cents . . . . .	3.21
Milford, seven dollars and forty-one cents . . . . .	7.41
Mont Vernon, eighty-one cents . . . . .	0.81
Nashua, fifty-eight dollars and fourteen cents . . . . .	58.14
New Boston, one dollar and forty-nine cents . . . . .	1.49
New Ipswich, one dollar and ninety-six cents . . . . .	1.96
Pelham, two dollars and twenty-four cents . . . . .	2.24
Peterborough, eight dollars and fifty cents . . . . .	8.50
Sharon, thirty-one cents . . . . .	0.31
Temple, seventy-six cents . . . . .	0.76
Weare, one dollar and eighty-nine cents . . . . .	1.89
Wilton, four dollars and eleven cents . . . . .	4.11
Windsor, eleven cents . . . . .	0.11

**Cheshire County, \$81.27**

Alstead, one dollar and thirty-three cents . . . . .	\$1.33
Chesterfield, two dollars and ninety-three cents . . . . .	2.93
Dublin, two dollars and thirty cents . . . . .	2.30
Fitzwilliam, one dollar and ninety-nine cents . . . . .	1.99
Gilsum, forty-three cents . . . . .	0.43
Harrisville, one dollar and seventy-two cents . . . . .	1.72
Hinsdale, four dollars and thirty cents . . . . .	4.30
Jaffrey, six dollars and three cents . . . . .	6.03
Keene, thirty-five dollars and thirty-three cents . . . . .	35.33
Marlborough, two dollars and ten cents . . . . .	2.10
Marlow, forty-seven cents . . . . .	0.47
Nelson, seventy-seven cents . . . . .	0.77
Richmond, forty-one cents . . . . .	0.41
Rindge, two dollars and forty-four cents . . . . .	2.44

Roxbury, twenty cents .....	0.20
Stoddard, sixty-seven cents .....	0.67
Sullivan, thirty-seven cents .....	0.37
Surry, fifty-two cents .....	0.52
Swanzy, four dollars and nineteen cents .....	4.19
Troy, two dollars and twenty-nine cents .....	2.29
Walpole, five dollars and ninety-two cents .....	5.92
Westmoreland, ninety-eight cents .....	0.98
Winchester, three dollars and fifty-eight cents .....	3.58

#### Sullivan County, \$44.01

Acworth, fifty-nine cents .....	\$0.59
Charlestown, three dollars and eight cents .....	3.08
Claremont, twenty-three dollars and thirty-three cents .....	23.33
Cornish, one dollar and forty cents .....	1.40
Croydon, forty-six cents .....	0.46
Goshen, forty-one cents .....	0.41
Grantham, thirty cents .....	0.30
Langdon, forty-two cents .....	0.42
Lempster, thirty-five cents .....	0.35
Newport, six dollars and seventy-four cents .....	6.74
Plainfield, one dollar and thirty-nine cents .....	1.39
Springfield, sixty-six cents .....	0.66
Sunapee, three dollars and seventy-nine cents .....	3.79
Unity, fifty-one cents .....	0.51
Washington, fifty-eight cents .....	0.58

#### Grafton County, \$91.63

Alexandria, sixty-three cents .....	\$0.63
Ashland, two dollars and seventy-one cents .....	2.71
Bath, ninety-one cents .....	0.91
Benton, nine cents .....	0.09
Bethlehem, three dollars and fifty-three cents .....	3.53
Bridgewater, one dollar and twenty-two cents .....	1.22
Bristol, three dollars and thirty-seven cents .....	3.37
Campton, two dollars and thirty-four cents .....	2.34
Canaan, one dollar and sixty-five cents .....	1.65
Dorchester, seventeen cents .....	0.17
Easton, twenty-three cents .....	0.23
Ellsworth, six cents .....	0.06
Enfield, two dollars and fifty-seven cents .....	2.57

Franconia, one dollar and forty cents .....	1.40
Grafton, sixty cents .....	0.60
Groton, forty-one cents .....	0.41
Hanover, eleven dollars and seventy-one cents .....	11.71
Haverhill, four dollars and twenty-five cents .....	4.25
Hebron, sixty-six cents .....	0.66
Holderness, two dollars and seventy-nine cents .....	2.79
Landaff, thirty cents .....	0.30
Lebanon, fourteen dollars and twenty-seven cents ...	14.27
Lincoln, two dollars and sixty-two cents .....	2.62
Lisbon, three dollars and nine cents .....	3.09
Littleton, eight dollars and sixty-nine cents .....	8.69
Lyman, thirty-two cents .....	0.32
Lyme, one dollar and twenty cents .....	1.20
Monroe, seven dollars and seventy-eight cents .....	7.78
Orange, nineteen cents .....	0.19
Orford, one dollar and twenty cents .....	1.20
Piermont, one dollar and fifteen cents .....	1.15
Plymouth, four dollars and forty-six cents .....	4.46
Rumney, one dollar and thirty-three cents .....	1.33
Thornton, ninety-one cents .....	0.91
Warren, sixty-one cents .....	0.61
Waterville, nine cents .....	0.09
Wentworth, forty-three cents .....	0.43
Woodstock, one dollar and sixty-nine cents .....	1.69

**Coos County, \$75.76**

Berlin, thirty-seven dollars and one cent .....	\$37.01
Carroll, one dollar and fifty-one cents .....	1.51
Clarksville, forty-two cents .....	0.42
Colebrook, two dollars and fifty-five cents .....	2.55
Columbia, fifty-two cents .....	0.52
Dalton, sixty-three cents .....	0.63
Dummer, fifty-six cents .....	0.56
Errol fifty-eight cents .....	0.58
Gorham, ten dollars and two cents .....	10.02
Jefferson, one dollar and fifteen cents .....	1.15
Lancaster, four dollars and eighty-seven cents .....	4.87
Milan, one dollar and eight cents .....	1.08
Northumberland, five dollars and twenty-eight cents .	5.28
Pittsburg, two dollars and forty-seven cents .....	2.47

Randolph, one dollar and two cents .....	1.02
Shelburne, ninety-six cents .....	0.96
Stark, forty-nine cents .....	0.49
Stewartstown, eighty-nine cents .....	0.89
Stratford, eighty-two cents .....	0.82
Wentworth's Location, twenty-one cents .....	0.21
Whitefield, two dollars and seventy-two cents .....	2.72

#### Unincorporated Places, \$1.17

Cambridge, sixteen cents .....	\$0.16
Crawford's Purchase, three cents .....	0.03
Dixville, twenty-three cents .....	0.23
Dix's Grant, three cents .....	0.03
Erving's Grant, one cent .....	0.01
Gilmanton and Atkinson Academy Grant, two cents ..	0.02
Green's Grant, three cents .....	0.03
Hale's Location, one cent .....	0.01
Millsfield, twelve cents .....	0.12
Odell, twenty cents .....	0.20
Sargent's Purchase, seven cents .....	0.07
Second College Grant, nine cents .....	0.09
Success, thirteen cents .....	0.13
Thompson and Meserve Purchase, four cents .....	0.04

13. *Limitation* The same shall be the proportion of assessment of public taxes until a new apportionment shall be made and established, and the treasurer for the time being shall issue his warrant accordingly.

Amend section 2 of the bill by renumbering said section to read section 4, and by striking out said section and inserting in place thereof the following:

4. *Takes Effect.* The provisions of section 1 shall take effect as of January 5, 1955, and the remaining sections shall take effect upon the passage of this act.

Reading of the amendment having commenced, on motion of Mr. Pillsbury of Manchester, further reading was dispensed with.

The question being on the amendment.

Messrs. Pillsbury of Manchester, Pickett of Keene, and Scamman of Stratham spoke in favor of the amendment.

On a *viva voce* vote, the amendment was adopted and the bill ordered to a third reading.

Mr. Pillsbury of Manchester moved that the rules be suspended to allow the third reading and final passage, by title only, at the present time of Senate Bill No. 126, An Act relative to mileage allowances for legislative officers and employees and establishing a new apportionment for the assessment of public taxes.

On a *viva voce* vote, the motion prevailed and the bill was read a third time and passed and sent to the Senate for concurrence.

### Reconsideration

Mr. Scamman of Stratham moved that the House reconsider its vote whereby it passed Senate Bill No. 126.

On a *viva voce* vote, the motion did not prevail.

Miss Bailey of Newport, for the Committee on Appropriations, to whom was referred House Bill No. 435, An Act relative to the establishment of a training program for practical nurses at the state technical institutes.

Having considered the same, reported the same with the following resolution:

*Resolved*, That it be referred to the 1957 session of the Legislature.

The report was accepted and the resolution of the committee adopted.

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 63, Joint Resolution relative to mileage allowance for Alonzo P. Weeks and others.

Having considered the same, reported the same with the recommendation that the joint resolution ought to pass.

The report was accepted and the joint resolution ordered to a third reading.

Mr. Hodgdon of Tuftonboro, for the Committee on Appropriations, to whom was referred House Bill No. 136, An Act relative to school building aid.

Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.



Amend section 2 of said bill by striking out said section and inserting in place thereof the following:

2. *Funds Provided.* There is hereby provided for school building aid hereunder the sum of three hundred and fifty thousand dollars. Of said sum one hundred and fifty thousand dollars shall be a charge upon the appropriation for foundation aid to school districts as set forth in the act making appropriations for the year ending June 30, 1956. Said sum shall be set aside for school building aid hereunder in the fiscal year ending June 30, 1957 and said appropriation shall not lapse. Of said sum two hundred thousand dollars shall be a charge upon the appropriation for foundation aid to school districts as set forth in the act making appropriations for the year ending June 30, 1957. For distribution of school building aid for year beginning July 1, 1956, the state board of education may accept applications and compute the amount of aid under the provisions of 14-d prior to July 1, 1956.

The report was accepted and the amendment adopted.

Mr. Vaughan of Newport offered the following amendment.

Amend section 2 of said bill by striking out said section and inserting in place thereof the following:

2. *Funds Provided.* If unrestricted general fund revenue for the fiscal year ending June 30, 1956, shall exceed the sum of \$16,419,527 a sum of not exceeding three hundred and fifty thousand dollars is hereby appropriated for the purposes of school building aid hereunder. For distribution of school building aid for the year beginning July 1, 1956, the state board of education may accept applications and compute the amount of aid under the provisions of 14-d hereinabove inserted, prior to July 1, 1956.

The question being on the amendment.

(Discussion ensued)

Messrs. Vaughan of Newport, Stearns of Durham, Lamprey of Moultonborough, Comi of Concord, and Rowell of Newport spoke in favor of the amendment.

Messrs. Scamman of Stratham and Cole of Lebanon spoke against the amendment.

On a *viva voce* vote, the amendment was adopted.

Mr. Pickett of Keene offered the following amendment:

Further amend the bill by inserting after section 2 the following new sections:

3. *Improvement of State Credit.* It is hereby declared to be the purpose of the enactment of the following sections to assist in carrying into effect the provisions of this act and to enhance and improve the credit of the state.

4. *Sweepstakes.* Amend chapter 171 of the Revised Laws (chapter 284, RSA) by inserting after section 21 the following new section: 21-a. *Authorization.* The commission is hereby authorized and directed to conduct two sweepstake races a year within the enclosure of any race track licensed by the commission. For such races the commission is authorized to sell tickets as it may determine necessary or desirable. Notwithstanding any other provisions of this chapter all commissions on such sale of tickets after payment of expenses incurred by the commission in connection with such sweepstake races, shall be paid into the state treasury and shall be for the use of the state. The commission is authorized to make rules and regulations for the conduct of such sweepstake races, including the fixing of the price to be charged for tickets, the horses to be entered into such races and prizes to be awarded for winners. The commission may employ and fix the compensation of such employees as may be necessary to carry out the provisions of this section.

5. *Effect on Other Laws.* Amend section 28 of chapter 171 of the Revised Laws (section 34, chapter 284, RSA) by inserting after the word pools the words "or to the sale of sweepstakes tickets" so that said section 28 as amended shall read as follows: 28. *Effect on other laws.* Sections 15, 16, 17 and 18 of chapter 447 shall not apply to pari-mutuel pools or to the sale of sweepstakes tickets provided for herein.

Further amend said bill by renumbering section 3 to read section 6.

The question being on the amendment.

Mr. Pickett of Keene spoke in favor of the amendment.

(Mrs. Studley of Rochester in Chair)

Mr. Lamprey of Moultonborough spoke against the amendment.

Mr. Clement of Rochester moved that the amendment be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs Clement of Rochester, Bradley of Hanover, Clarke of Canaan and Rainie of Concord spoke in favor of the motion.

Mr. Jones of Lebanon spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote, the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Pillsbury of Manchester called for a division.

A division being had, 121 members having voted in the affirmative and 165 members having voted in the negative, the motion did not prevail.

(Speaker in Chair)

The question being on the amendment.

Messrs. Pickett of Keene and Jones of Lebanon spoke in favor of the amendment.

Messrs. Pillsbury of Manchester and Scamman of Stratham and Mrs. Funkhouser of Durham spoke against the amendment.

Mrs. Gardner of Gilford moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the amendment.

Mr. Pillsbury of Manchester demanded the yeas and nays and the roll was called with the following result:

### Yeas — 166

HILLSBOROUGH COUNTY: Black, Farwell, Fortin, Latour, Soucy of Manchester, Ward 1, Danforth, Geisel, Mahony of Manchester, Dwyer, Hayes, Horan, Sullivan, Nolan, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Callahan, Clancy, Ecker, Healy of Manchester, Ward 6, Slowey, Corey, Leclerc, Tessier, Craig, Lavoie, Constant, Morris, Auger, Bergeron, Schricker, Hurley, Lareau, Martel, Soucy of Manchester, Ward 12, Dion of Manchester, Gauthier, Lesmerises, Donnelly, Gamache, Peterson, Boire, Thibault of Nashua, Bel-

court, Trombley, Brosnahan, Maynard, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Jean, Langelier, Bouthillier, Dumais, Locke, Rice.

CHESHIRE COUNTY: Burnham, Post, Thomas, Pickett, Waling, Brown of Marlow, Terrill, Bouvier, Lang of Troy, Ballam, Rhodes, Thompson.

SULLIVAN COUNTY: Angus, Bloomfield, Howe, Stone, Davis of Cornish, Reney, Pierce, Gamsby, DeLude.

GRAFTON COUNTY: Ramsey, Chamberlin of Bath, Plumer, Willey, Larty, Chamberlain of Holderness, Ashley, Jones of Lebanon, Gardner of Littleton, Carr, Barney.

COOS COUNTY: Dussault, Fortier, Roy, Russell, Sheridan, Brungot, Christiansen, Fontaine, Gagnon, Rines, Ross, Potter, Bushey, Charbonneau, Converse, Stinson.

ROCKINGHAM COUNTY: Fogg, Blair, Spollett, Battles, McCaffery, Labranche, Cheney, Carter, Pinkham, Barrett, Dondero, Hundley, Payette, Sadler, Joyce, Ingraham, Haigh, Willis (Anna), Willis (Howard), Pillsbury of Sandown, Felch.

STRAFFORD COUNTY: Moher, Desjardins, Crandall, Flanagan, Littlehale, Stearns, Chadbourn, Rolfe, Nadeau, Lacasse, St. Pierre, Maloomian, Letourneau, Cormier.

BELKNAP COUNTY: Gardner of Gilford, Morin, Simoneau, Tilton, O'Shan, Dana, Miner, Metcalf.

CARROLL COUNTY: Downs, Weeks of Wolfeboro.

MERRIMACK COUNTY: Phelps, Ferrin, Davis of Concord, Burke, Dempsey, Carpenter, DuDevoir, Mulaire, Milligan, Gay of New London, Lovejoy.

### Nays — 141

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Herrick, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Hadley, Goodwin, Lang of Manchester, Pillsbury of Manchester, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Cummings, Ramsdell, Saunders, Pappagianis, Dutton, Willard, Eastman of Weare.

CHESHIRE COUNTY: Pike, Smith of Hinsdale, Coddington, Perry, Kirk, Wheeler, Bennett, Faulkner, Carlton, Sherwin, Lane, Billings, Ingham.

SULLIVAN COUNTY: Bascom, Frizzell, Bissonett, Millar, Nelson of Goshen, Bailey, Roe, Rowell, Vaughan of Newport.

GRAFTON COUNTY: Pryor, Clarke of Canaan, Sanborn, Campion, Bradley, Holden, Sleeper, Adams, Cole, Townsend, Collyer, Kelley, Martin, Bell, Huckins, Sawyer.

COOS COUNTY: Alls, Hurlbert, Ferguson, Cornelius, Simonds, Annis, Baker, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Persson, Shattuck, Bisbee, Clarke of Derry, Nickerson of East Kingston, Eastman of Exeter, Eldredge, Merrill, Rathbone, Jones of Fremont, Parmenter, Palmer, Murch, Travis, Wardwell, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Felker, Pearson, Funkhouser, Evans, Dustin, Studley, Clement of Rochester, Estes, Brown of Strafford.

BELKNAP COUNTY: Skinner, McAllister, Hart, Rogers, Ballentine, Karagianis, Burbank, Varrell, Smith of Meredith, Atwood.

CARROLL COUNTY: Chandler, Benson, Roberts, Nickerson of Madison, Lamprey, Remick, Hodgdon, Ford.

MERRIMACK COUNTY: Ellsworth, Vaughn of Bow, Vogel, Stevens, Dowd, Henry, Shea of Concord, Lessels, Jewett, Rainie, Cilley, Walker, Anderson, Nutter, Broadhurst, Mason, Davis of Hopkinton, Brown of Loudon, Wilman, Ayer of Pittsfield, Bigelow, Bean, Workman.

And the amendment was adopted.

### Reconsideration

Mr. Pickett of Keene moved that the House reconsider its vote whereby it adopted the amendment offered by the member from Keene.

On a *viva voce* vote, the motion did not prevail and the bill was ordered to a third reading.

Mrs. Ayer of Pittsfield, for the Committee on Public Health, to whom was referred Senate Bill No. 115, An Act amending chapter 17, section 18 of the Revised Laws of 1942 relating to certificates required in committing a patient to the state hospital.



Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Weeks of Greenland, for the Committee on Public Works, to whom was referred Senate Bill No. 122, An Act to lay out and construct a service road connecting with the Eastern New Hampshire Turnpike.

Having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

### **Taken from the Table**

House Bill No. 113, An Act to provide additional accommodations on public recreational areas.

The question being on the amendment.

(Printed in the Journal for Wednesday, July 27).

On a *viva voce* vote, the amendment was adopted and the bill ordered to a third reading.

On motion of Mrs. Brungot of Berlin, the rules were suspended to allow introduction of a committee report not previously advertised in the Journal.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred House Bill No. 345, An Act relative to the state employees' retirement system in the city of Berlin, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relating to absentee voting at biennial elections in Berlin.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Berlin Election; Absentee Voting.* Amend chapter 10-a of chapter 121 of the Laws of 1897, as inserted by chapter 265 of the Laws of 1945, by striking out said section and inserting in place thereof the following: *Sect. 10-a.* Any

legal voter of said city who is absent from the city on the day of the election or who is unable to vote in person, on the day of meeting for the election of city and ward officers, held in March biennially, may vote at said election by so-called absentee ballot. The provisions of sections 61 to 75 of chapter 34 of the Revised Laws, as amended, so far as applicable hereto and not inconsistent herewith, shall apply to such absent voting in said city, provided that the city clerk shall prepare the forms and ballots for such voting and said clerk shall also prepare the instructions required in section 74 of said chapter 34.

2. *Takes Effect.* This act shall take effect upon its passage.

The report was accepted, the amendment adopted, and the bill ordered to a third reading.

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House and Senate bills; House joint resolutions; Senate joint resolution:

House Bill No. 25, An Act relative to forest conservation and taxation.

House Bill No. 349, An Act relative to hourly wage for employees.

House Bill No. 379, An Act relative to service exemption for veterans.

House Bill No. 538, An Act relating to the Union School District of Keene.

House Bill No. 543, An Act relative to compensation of legislative employees.

Senate Bill No. 124, An Act relative to safety regulations for commercial establishments and to workmen's compensation agreements.

Senate Bill No. 127, An Act relative to the layout of limited access highways, and to the Rye Water District.

Senate Bill No. 130, An Act relative to transfer of diagnostic laboratories to the state hospital.

Senate Bill No. 135, An Act legalizing the annual school district meeting of the Litchfield school district.

Senate Joint Resolution No. 6, Joint Resolution relative to supplemental appropriation for the education of the deaf.

House Joint Resolution No. 10, Joint Resolution in favor of the New Hampshire Veterans' Association.

House Joint Resolution No. 27, Joint Resolution to continue and extend the study of groundwater resources within the state.

House Joint Resolution No. 43, Joint Resolution relative to interim committee to study senatorial districts.

The report was accepted.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 464, An Act relating to the number of lives covered by group life insurance, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Group Life Insurance.* Amend subparagraph (c) of paragraph (1) of section 14-a of chapter 327 of the Revised Laws, as inserted by chapter 175 of the Laws of 1947 (section 15, chapter 408, RSA) as amended by section 1, chapter 79, Laws of 1955, by striking out the word "twenty-five" and inserting in place thereof the word, ten, so that said subparagraph as amended shall read as follows: (c) The policy must cover at least ten employees at date of issue.

The report was accepted.

On motion of Mr. Carr of Orford, the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was sent to the Senate for concurrence.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 31, An Act relative to carrying weapons, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by inserting after the words "Revised Laws" the following: (section 27, chapter 585, RSA)

The report was accepted.

On motion of Mr. Pillsbury of Sandown, the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was sent to the Senate for concurrence.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 328, An Act to change the name of the Board of Nurse Examiners and to increase the fees for nurse registration.

Having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and recommended that the bill as amended ought to pass.

Insert in the following sections the following references:

- Section 1 — insert (section 1, chapter 326 RSA)
- 2 — insert (section 4, chapter 326 RSA)
- 3 — insert (section 6, chapter 326 RSA)
- 4 — insert (section 7, chapter 326 RSA)
- 5 — insert (section 8, chapter 326 RSA)
- 6 — insert (section 10, chapter 326 RSA)
- 7 — insert (section 11, chapter 326 RSA)
- 8 — insert (section 12, chapter 326 RSA)
- 9 — insert (section 13, chapter 326 RSA)
- 10 — insert (section 15, chapter 326 RSA)

The report was accepted.

On motion of Mr. Vaughan of Newport, the House adopted the amendment proposed by the Committee on Engrossed Bills.

The bill was sent to the Senate for concurrence.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the report of the Committee of Conference on the following entitled bills:

House Bill No. 529, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1956.

House Bill No. 530, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1957.

Senate Bill No. 57, An Act relative to the solicitation of bribes.

The message further announced that the Senate had voted to accede to the request for a Committee of Conference on House Bill No. 540, An Act authorizing the Merrimack Village District to issue bonds or notes, and relative to appeals and appearance before municipal courts.

Pursuant to the above, the Chair appointed as members of such committee on the part of the Senate, Senator Matthews, District No. 5 and Senator Colburn, District No. 12.

House Bill No. 500, An Act providing for the acquisition of certain dams and water rights by the water resources board.

And the President has appointed as members of such committee on the part of the Senate, Senator English, District No. 11 and Senator Ferguson, District No. 14.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 410, An Act relative to the use and display of the state flag.

The message further announced that the Senate had adopted the amendment sent up from the House of Representatives to Senate Bill No. 127, An Act relative to the layout of limited access highways and to the Rye Water District.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 420, An Act relative to trust deposits in banks.

1. *Deposit in Writing in the form (a, trustee for b).*  
When any deposit shall be made in a bank by any person in trust for another, including a minor, and no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to the bank, in the event of the death of the trustee, the deposit, together with the dividends credited thereon, may be paid to the person for whom the deposit was made, and the receipt or acquittance of such person shall be a valid and sufficient release and discharge to the bank for any payment so made.



2. *Definitions.* The word bank shall apply to state banks, mutual savings banks, guaranty savings banks, national banking associations, building and loan associations, co-operative banks, Morris Plan banks, trust companies, federal savings and loan associations, and credit unions. The word deposit shall apply to all types of deposits or accounts in the above-named institutions, whether represented by a certificate, a deposit book, an account book, or by any other form of document, as well as to checking accounts.

3. *Application of Act.* This act shall apply to present deposits in such banks, providing the trustee and beneficiaries have not deceased prior to the effective date of this act, and the continued maintenance of present deposits in such banks in the form hereinabove provided without change shall be construed as constituting acceptance of the legal effect of this act by said trustee and beneficiaries to the extent that any such acceptance and consent may be required to permit this act to apply to present deposits.

4. *Construction.* This act shall in no way affect the provisions of section 20, chapter 309 (RSA 386:19), section 8, chapter 314 (RSA 393:12), sections 3 and 4, chapter 87 of the Revised Laws (RSA 86:8,9) and chapter 162, Laws of 1953 (RSA 384:28-31).

5. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Faulkner of Keene, the rules were suspended and reading of the amendment dispensed with.

Mr. Faulkner of Keene moved that the House non-concur in the Senate amendments and asked that a Committee of Conference be appointed.

On a *viva voce* vote, the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Mr. Faulkner of Keene, Mrs. Holmes of Amherst and Mr. Pappagianis of Nashua.

House Bill No. 533, An Act to establish a new apportionment for the assessment of public taxes.

Amend the bill by striking out section 1 and substituting therefor the following new section:

1. *Apportionment.* That of every thousand dollars of

public taxes hereafter to be raised, the proportion which each town and place shall pay, and for which the treasurer of the state is hereby authorized to issue his warrant, shall be as follows, to wit:

**Rockingham County, \$151.94**

Atkinson, one dollar and three cents .....	\$1.03
Auburn, one dollar and forty-eight cents .....	1.48
Brentwood, one dollar and two cents .....	1.02
Candia, one dollar and thirty-eight cents .....	1.38
Chester, one dollar and thirty-three cents .....	1.33
Danville, eighty cents .....	0.80
Deerfield, one dollar and thirty-eight cents .....	1.38
Derry, eight dollars and ninety-five cents .....	8.95
East Kingston, seventy cents .....	0.70
Epping, one dollar and ninety-two cents .....	1.92
Exeter, twelve dollars and forty cents .....	12.40
Fremont, eighty-eight cents .....	0.88
Greenland, one dollar and forty-eight cents .....	1.48
Hampstead, one dollar and ninety-one cents .....	1.91
Hampton, fourteen dollars and seventy-one cents ....	14.71
Hampton Falls, one dollar and fifty-eight cents .....	1.58
Kensington, seventy-nine cents .....	0.79
Kingston, two dollars and forty-two cents .....	2.42
Londonderry, two dollars and seventy-two cents ....	2.72
New Castle, one dollar and ninety-two cents .....	1.92
Newfields, sixty-three cents .....	0.63
Newington, two dollars and thirty-three cents .....	2.33
Newmarket, four dollars and six cents .....	4.06
Newton, one dollar and thirty-nine cents .....	1.39
North Hampton, four dollars and ten cents .....	4.10
Northwood, two dollars and six cents .....	2.06
Nottingham, one dollar and five cents .....	1.05
Plaistow, three dollars and forty cents .....	3.40
Portsmouth, forty-five dollars and thirty-six cents ..	45.36
Raymond, one dollar and ninety-four cents .....	1.94
Rye, seven dollars and twelve cents .....	7.12
Salem, eight dollars and seventy-eight cents .....	8.78
Sandown, eighty-four cents .....	0.84
Seabrook, three dollars and forty-four cents .....	3.44
South Hampton, fifty-three cents .....	0.53

Stratham, one dollar and forty-four cents .....	1.44
Windham, two dollars and sixty-seven cents .....	2.67

**Strafford County, \$83.79**

Barrington, one dollar and forty-four cents .....	\$1.44
Dover, twenty-eight dollars and fifty-five cents .....	28.55
Durham, four dollars and fifty-eight cents .....	4.58
Farmington, three dollars and forty-seven cents ....	3.47
Lee, seventy-nine cents .....	0.79
Madbury, seventy-nine cents .....	0.79
Middleton, nineteen cents .....	0.19
Wilton, two dollars and thirty-six cents .....	2.36
New Durham, one dollar and twenty-three cents ....	1.23
Rochester, twenty-three dollars and forty-two cents ..	23.42
Rollinsford, two dollars and eighty-nine cents .....	2.89
Somersworth, twelve dollars and sixty-three cents ..	12.63
Strafford, one dollar and forty-five cents .....	1.45

**Belknap County, \$60.72**

Alton, four dollars and six cents .....	\$4.06
Barnstead, one dollar and thirty-five cents .....	1.35
Belmont, two dollars and two cents .....	2.02
Center Harbor, one dollar and twenty-eight cents ....	1.28
Gilford, five dollars and nineteen cents .....	5.19
Gilmanton, one dollar and sixty-four cents .....	1.64
Laconia, thirty-one dollars and thirty-eight cents ....	31.38
Meredith, six dollars and thirty-two cents .....	6.32
New Hampton, two dollars and two cents .....	2.02
Sanbornton, one dollar and fifty-seven cents .....	1.57
Tilton, three dollars and eighty-nine cents .....	3.89

**Carroll County, \$39.99**

Albany, forty-five cents .....	\$0.45
Bartlett, one dollar and seventy-six cents .....	1.76
Brookfield, fifty-six cents .....	0.56
Chatham, twenty-six cents .....	0.26
Conway, eight dollars and twenty-two cents .....	8.22
Eaton, thirty cents .....	0.30
Effingham, seventy-three cents .....	0.73
Freedom, one dollar and eleven cents .....	1.11
Hart's Location, two cents .....	0.02
Jackson, one dollar and fourteen cents .....	1.14

Madison, one dollar and twenty-five cents .....	1.25
Moultonborough, four dollars and thirty-eight cents ..	4.38
Ossipee, three dollars and three cents .....	3.03
Sandwich, two dollars and two cents .....	2.02
Tamworth, one dollar and ninety-one cents .....	1.91
Tuftonboro, three dollars and twenty-three cents ....	3.23
Wakefield, two dollars and fifty-six cents .....	2.56
Wolfeboro, seven dollars and six cents .....	7.06

**Merrimack County, \$101.17**

Allenstown, two dollars and thirteen cents .....	\$2.13
Andover, two dollars and twenty-three cents .....	2.23
Boscawen, two dollars and one cent .....	2.01
Bow, two dollars and ninety-one cents .....	2.91
Bradford, one dollar and thirty cents .....	1.30
Canterbury, seventy-seven cents .....	0.77
Chichester, one dollar and one cent .....	1.01
Concord, forty-three dollars and seventy-five cents ..	43.75
Danbury, forty-eight cents .....	0.48
Dunbarton, ninety cents .....	0.90
Epsom, one dollar and twenty-two cents .....	1.22
Franklin, ten dollars and fifty-five cents .....	10.55
Henniker, two dollars and thirty-one cents .....	2.31
Hill, seventy-seven cents .....	0.77
Hooksett, three dollars and ninety-five cents .....	3.95
Hopkinton, three dollars and ninety-seven cents ....	3.97
Loudon, one dollar and twenty-two cents .....	1.22
Newbury, two dollars and two cents .....	2.02
New London, four dollars and sixteen cents .....	4.16
Northfield, one dollar and sixty-nine cents .....	1.69
Pembroke, three dollars and seventy-three cents ....	3.73
Pittsfield, three dollars and two cents .....	3.02
Salisbury, sixty-three cents .....	0.63
Sutton, one dollar and eighteen cents .....	1.18
Warner, one dollar and eighty-seven cents .....	1.87
Webster, seventy-eight cents .....	0.78
Wilmot, sixty-one cents .....	0.61

**Hillsborough County, \$270.32**

Amherst, three dollars and forty-five cents .....	\$3.45
Antrim, one dollar and ninety-five cents .....	1.95
Bedford, five dollars and two cents .....	5.02

Bennington, one dollar and thirty-four cents .....	1.34
Brookline, one dollar and four cents .....	1.04
Deering, seventy cents .....	0.70
Fracestown, one dollar and twenty-three cents .....	1.23
Goffstown, seven dollars and seventy-one cents .....	7.71
Greenfield, one dollar and seventeen cents .....	1.17
Greenville, one dollar and fifty-five cents .....	1.55
Hancock, one dollar and eighty-three cents .....	1.83
Hillsborough, three dollars and fifty-two cents .....	3.52
Hollis, two dollars and twenty-four cents .....	2.24
Hudson, five dollars and thirty-four cents .....	5.34
Litchfield, seventy-one cents .....	0.71
Lyndeborough, seventy-eight cents .....	0.78
Manchester, one hundred thirty-eight dollars and ninety-five cents .....	138.95
Mason, fifty-two cents .....	0.52
Merrimack, three dollars and twenty-one cents .....	3.21
Milford, seven dollars and forty-three cents .....	7.43
Mont Vernon, eighty-one cents .....	0.81
Nashua, fifty-eight dollars and fifty-one cents .....	58.51
New Boston, one dollar and forty-seven cents .....	1.47
New Ipswich, one dollar and ninety-six cents .....	1.96
Pelham, two dollars and twenty-five cents .....	2.25
Peterborough, eight dollars and fifty-one cents .....	8.51
Sharon, thirty cents .....	0.30
Temple, seventy-five cents .....	0.75
Weare, one dollar and eighty-five cents .....	1.85
Wilton, four dollars and eleven cents .....	4.11
Windsor, eleven cents .....	0.11

#### Cheshire County, \$81.29

Alstead, one dollar and twenty-nine cents .....	\$1.29
Chesterfield, two dollars and ninety-four cents .....	2.94
Dublin, two dollars and twenty-six cents .....	2.26
Fitzwilliam, one dollar and ninety-nine cents .....	1.99
Gilsum, forty-one cents .....	0.41
Harrisville, one dollar and seventy-one cents .....	1.71
Hinsdale, four dollars and thirty-three cents .....	4.33
Jaffrey, six dollars and five cents .....	6.05
Keene, thirty-five dollars and fifty-three cents .....	35.53
Marlborough, two dollars and nine cents .....	2.09
Marlow, forty-five cents .....	0.45



Nelson, seventy-six cents .....	0.76
Richmond, forty cents .....	0.40
Rindge, two dollars and forty-two cents .....	2.42
Roxbury, nineteen cents .....	0.19
Stoddard, sixty-four cents .....	0.64
Sullivan, thirty-five cents .....	0.35
Surry, fifty-one cents .....	0.51
Swanzy, four dollars and twenty cents .....	4.20
Troy, two dollars and thirty cents .....	2.30
Walpole, five dollars and ninety-five cents .....	5.95
Westmoreland, ninety-five cents .....	0.95
Winchester, three dollars and fifty-seven cents .....	3.57

**Sullivan County, \$43.98**

Acworth, fifty-nine cents .....	\$0.59
Charlestown, three dollars and seven cents .....	3.07
Claremont, twenty-three dollars and forty-six cents ..	23.46
Cornish, one dollar and thirty-seven cents .....	1.37
Croyden, forty-two cents .....	0.42
Goshen, forty cents .....	0.40
Grantham, twenty-nine cents .....	0.29
Langdon, forty-two cents .....	0.42
Lempster, thirty-four cents .....	0.34
Newport, six dollars and seventy-seven cents .....	6.77
Plainfield, one dollar and thirty-seven cents .....	1.37
Springfield, sixty-five cents .....	0.65
Sunapee, three dollars and eighty cents .....	3.80
Unity, forty-nine cents .....	0.49
Washington, fifty-four cents .....	0.54

**Grafton County, \$91.58**

Alexandria, sixty-two cents .....	\$0.62
Ashland, two dollars and seventy-one cents .....	2.71
Bath, eighty-nine cents .....	0.89
Benton, nine cents .....	0.09
Bethlehem, three dollars and fifty-two cents .....	3.52
Bridgewater, one dollar and twenty-one cents .....	1.21
Bristol, three dollars and thirty-eight cents .....	3.38
Campton, two dollars and thirty cents .....	2.30
Canaan, one dollar and sixty-five cents .....	1.65
Dorchester, sixteen cents .....	0.16
Easton, twenty-three cents .....	0.23

Ellsworth, six cents .....	0.06
Enfield, two dollars and fifty-seven cents .....	2.57
Franconia, one dollar and forty-one cents .....	1.41
Grafton, fifty-eight cents .....	0.58
Groton, thirty-eight cents .....	0.38
Hanover, eleven dollars and seventy-eight cents .....	11.78
Haverhill, four dollars and twenty-six cents .....	4.26
Hebron, sixty-seven cents .....	0.67
Holderness, two dollars and seventy-four cents .....	2.74
Landaff, twenty-eight cents .....	0.28
Lebanon, fourteen dollars and thirty-five cents .....	14.35
Lincoln, two dollars and sixty-one cents .....	2.61
Lisbon, three dollars and nine cents .....	3.09
Littleton, eight dollars and seventy-three cents .....	8.73
Lyman, thirty-one cents .....	0.31
Lyme, one dollar and eighteen cents .....	1.18
Monroe, seven dollars and eighty-two cents .....	7.82
Orange, seventeen cents .....	0.17
Orford, one dollar and eighteen cents .....	1.18
Piermont, one dollar and fourteen cents .....	1.14
Plymouth, four dollars and forty-eight cents .....	4.48
Rumney, one dollar and thirty-three cents .....	1.33
Thornton, eighty-nine cents .....	0.89
Warren, sixty-one cents .....	0.61
Waterville, nine cents .....	0.09
Wentworth, forty-two cents .....	0.42
Woodstock, one dollar and sixty-nine cents .....	1.69

#### Coos County, \$74.67

Berlin, thirty-seven dollars and twenty-three cents ..	\$37.23
Carroll, one dollar and fifty-one cents .....	1.51
Clarksville, twenty-six cents .....	0.26
Colebrook, two dollars and fifty-two cents .....	2.52
Columbia, forty-five cents .....	0.45
Dalton, sixty-one cents .....	0.61
Dummer, fifty-three cents .....	0.53
Errol, forty-seven cents .....	0.47
Gorham, ten dollars and five cents .....	10.05
Jefferson, one dollars and twelve cents .....	1.12
Lancaster, four dollars and eighty-eight cents .....	4.88
Milan, one dollar and four cents .....	1.04
Northumberland, five dollars and thirty cents .....	5.30

Pittsburg, one dollar and eighty-seven cents .....	1.87
Randolph, ninety-nine cents .....	0.99
Shelburne, ninety-three cents .....	0.93
Stark, forty cents .....	0.40
Stewartstown, eighty-three cents .....	0.83
Stratford, seventy-seven cents .....	0.77
Wentworth Location, nineteen cents .....	0.19
Whitefield, two dollars and seventy-two cents .....	2.72

#### Unincorporated Places, \$0.55

Cambridge, four cents .....	\$0.04
Crawford's Purchase, one cent .....	0.01
Dixville, sixteen cents .....	0.16
Dix's Grant, one cent .....	0.01
Erving's Grant, one cent .....	0.01
Gilmanton and Atkinson Academy Grant, one cent ...	0.01
Green's Grant, three cents .....	0.03
Hale's Location, one cent .....	0.01
Millsfield, four cents .....	0.04
Odell, five cents .....	0.05
Sargent's Purchase, seven cents .....	0.07
Second College Grant, three cents .....	0.03
Success, four cents .....	0.04
Thompson and Meserve Purchase, four cents .....	0.04

3. *Registration Fees.* Amend paragraph III of section 1 of chapter 118 of the Revised Laws as amended by chapter 273 of the Laws of 1947 and section 6, chapter 252, Laws of 1953 (paragraph IV of section 1, chapter 262, RSA) by striking out said paragraph and inserting in place thereof the following: III. For each motor vehicle, farm truck or tractor, including trailers and semi-trailers equipped with pneumatic tires, except motor cycles and motor cycle sidecars, and except as provided in paragraphs II-a and IV, the following rates based on the gross weight of the vehicle and load: All vehicles and load not exceeding four thousand pounds, thirty-five cents per hundred pounds; exceeding four thousand and not exceeding six thousand pounds, forty-five cents per hundred pounds; exceeding six thousand pounds and not exceeding eight thousand pounds, fifty cents per hundred pounds; exceeding eight thousand pounds, and not exceeding fifty-two thousand eight hundred pounds, sixty cents per hundred

pounds; exceeding fifty-two thousand eight hundred pounds, sixty-seven cents per hundred pounds. For all vehicles equipped with hard rubber tires the sum of twenty cents per hundred pounds shall be added to the above rates. For all vehicles equipped with iron, steel or other hard tires the sum of forty cents per hundred pounds shall be added to the above rates; provided that the minimum fee as provided herein shall be twelve dollars for passenger vehicles and fifteen dollars for trucks. Equipment mounted on trucks of which the equipment is an integral part of the unit shall be registered at one-third of the above rates. Cement mixers, saw rigs and air compressors towed by motor vehicles shall pay one-tenth of the above rates except when towed exclusively within the limits of a single city or town, in which case no fees for registration shall be collected. In the registration of any tractor to be used in combination with a semi-trailer, the gross weight shall include the weight of such tractor, the weight of the heaviest semi-trailer to be used therewith, and the weight of the maximum load to be carried thereby, and separate registration certificates and plates shall be provided for the tractor and the semi-trailer. For the registration of each additional or extra semi-trailer the fee shall be twenty-five dollars.

4. *Study.* The Motor Vehicle Commissioner or his designated representative and the Commissioner of Public Works and Highways or his designated representative and five representatives of highway users to be selected as hereinafter provided are hereby authorized and directed to make a study of registration fees for motor vehicles and to report to the 1957 legislature.

5. Said representatives of the highway users shall be appointed by the Governor with the consent of the Council and together with the said commissioners shall constitute one committee for the purposes set forth herein.

On motion of Mr. Pillsbury of Manchester, the rules were suspended and reading of the amendment dispensed with.

On motion of Mr. Pickett of Keene the House non-concurred in the amendments sent down from the Honorable Senate.

### Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it refused to concur in the Senate amendments to House Bill No. 533.

On a *viva voce* vote, the motion did not prevail.

House Bill No. 440, An Act relative to the Laconia State School.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Laconia State School.* Amend chapter 129 of the Revised Laws, as amended by chapters 99 and 229, Laws of 1953 (chapter 171, RSA), by striking out said chapter and inserting in place thereof the following new chapter:

### Chapter 129

#### Laconia State School

1. *State School.* The state shall maintain a school for the care and instruction of the mentally deficient which shall be known as the Laconia State School.

2. *Trustees' Powers.* The trustees shall have the general management and supervision of said school, and once each month shall hold a meeting thereat. They shall have power to administer all rules and regulations as to admission to, and for the government and control of, said institution and its children, and to do everything necessary to properly care for and educate the mentally deficient persons of the state.

3. *Superintendent.* The trustees shall, subject to the approval of the governor and council, appoint a superintendent of the school who, subject to the control of the trustees, shall have charge of the lands, buildings, furniture, tools, implements, stock, provisions, and other property of the institution. He shall keep, in suitable books, regular and complete accounts of all his receipts and expenditures, and of the debts, credits, contracts, and property of the institution, showing its income and expenses, and shall account to the trustees annually, and at such other times as they may require, for all money received and paid out by him. Such accounts shall be specific, containing the dates and amounts of all receipts, and the date, quantity and price of every article purchased or procured. There is specifically excepted from the foregoing such accounts



and accountability as is required otherwise by the department of administration and control. The superintendent shall be a constant resident at the institution, and he and subordinate officers of the school, under his direction, shall have the custody and charge of the scholars therein, shall discipline, govern, instruct, and employ them, and shall use their best endeavors to preserve their health, promote their improvement in such studies, trades, and employments as may be suited to their ages and capacities, and to secure the formation of moral, religious and industrious habits.

4. *Deputy Superintendent.* The superintendent, subject to the approval of the board of trustees, shall appoint a deputy superintendent who shall perform such duties as may be assigned to him, and in the absence of the superintendent shall perform all of the duties of the superintendent.

5. *Detention.* Mentally deficient persons, legally received into said school shall be detained in custody, regardless of age or length of residence, if, in the judgment of the board of trustees, their segregation is for the best interest of the person concerned and of the public.

6. *State Charges.* All indigent mentally deficient persons in this state may be received as state wards.

7. *Non-Residents.* Mentally deficient persons, residents of other states, may be received into said school provided there is space available without excluding resident persons found to be fit subjects for said school. Expenses for said non-resident persons shall be borne by the state of residence or any political subdivision thereof, or by persons legally chargeable with their support.

8. *Change of Residence.* If the residence of the parent or guardian of any mentally deficient person of the Laconia state school is changed to another state, the board of trustees may negotiate with officials of the other state for a transfer of said person to the state of residence of the said parent or guardian. The trustees may also enter into agreements, reciprocal in nature, to accept transfers from like institutions of other states, resident mentally deficient persons whose parent or guardian has established a legal residence in this state.

9. *Order of Admissions.* Prior consideration shall be given to applicants already supported at public expense.

10. *Defective Delinquents.* Whenever any mentally deficient person demonstrates, in the opinion of the board of trustees, by his continuous conduct that he may seriously injure or endanger other persons of the school, the trustees may, through the office of the attorney general, file a petition with the superior court, stating the method of original committal, the reasons for the transfer request, and the place to which said person is to be transferred. The superior court may approve such transfer if it is of the opinion that the best interests of the person and of the public are being served.

11. *Modification of Order.* The superior court shall have continuing jurisdiction to modify its order in such cases and shall consider petitions for further commitments as may be brought by the trustees of the receiving institutions.

12. *Costs of Maintenance.* The school shall continue to bear the necessary cost of maintenance and care of persons transferred under the authority of section 10, provided, that this in no way relieves the person or persons chargeable with the support of the said person, from their duty to pay to the state the costs as provided by law.

13. *Committals.* Any petition for the committal of any person to the Laconia state school shall be referred by the judge of probate to the mental hygiene clinic, or a suitable and adequate agency approved by the mental hygiene clinic, for study, report and recommendation, prior to hearing. Upon the finding that such person is a suitable subject for said institution, such person may be committed to said school by an order of commitment, directed to the superintendent, accompanied by a certified copy of the report prepared and executed by said clinic.

14. *Warrant; Return.* The register shall issue a warrant in duplicate, commanding such suitable person as the judge shall select to deliver the person ordered to be committed to the superintendent of said school. The agent shall endorse upon each copy that he has delivered the person as ordered, and the superintendent shall endorse upon each copy a receipt naming the agent from whom the person was received. One copy of the warrant so endorsed shall be returned to the court

and filed with the commitment papers and the other copy shall be left with the superintendent. No male person, other than the husband or father, shall act as such agent for the commitment of a female unless accompanied by a responsible woman of mature age.

15. *Delinquents.* Defective delinquent persons having criminal records or criminalistic or incorrigible tendencies of such nature as to make their presence in said school detrimental to the other persons shall not be committed there, but may at the discretion of the judge of probate be detained pending proceedings for commitment to some other institution suited to their care.

16. *Fee.* Whenever, upon such application, there is occasion for a special session the judge of probate shall be allowed the legal fee and his expenses, to be paid by the county treasurer upon the certificate of the county commissioners.

17. *Committals by Municipal Courts.* Municipal courts may commit to the said school, under the provisions of section 15 of chapter 132 of the Revised Laws (section 18, chapter 169, RSA), provided that said person has been referred to the mental hygiene clinic as in the case of committals by the judge of probate under section 13 hereof.

18. *Committals by Superior Courts.* Whenever, in any proceeding before the superior court, it shall appear that any respondent or any person being examined as provided by section 4, chapter 314 of the Laws of 1949, is mentally deficient, the justice thereof may require an examination of said person by the mental hygiene clinic as provided in section 13 hereof. Upon a finding that said person is a fit subject for said school, the justice may issue an order of commitment directed to the superintendent and trustees thereof. The court shall have continuing jurisdiction and may alter or amend such order of commitment as may be necessary. Nothing contained herein shall relieve any person legally chargeable from payment for care and custody of said person.

19. *Placement.* The trustees may permit any person of the school to leave the institution on placement or change the conditions on which it is granted. They shall cause an investigation to be made prior to the granting of such placement, as to the home into which such person is to go if placed,

and other conditions and circumstances which may affect his or her welfare and behavior, and shall provide such supervision of placed persons as may be deemed necessary for their welfare. The trustees may revoke the placement and order the return of the person to whom it has been granted. No length of absence or placement shall operate as a discharge from the school.

20. *Discharge.* Any person of the school may be discharged by any quorum of the trustees, or by a justice of the superior court, whenever a further detention at the school is in the opinion unnecessary; but any person so discharged who was under sentence of imprisonment at the time of his commitment, the period of which shall not have expired, shall be remanded to prison. The superintendent shall file with the state board of health the names of persons discharged, paroled or in placement from said school as provided in chapter 338, section 14.

21. *Escapees.* If any person shall escape from said school, it shall be the duty of the superintendent and his assistants, and of any police officer, sheriff, or deputy sheriff to take and detain such person without a warrant and return him forthwith to said school. All reasonable expense for such detention and return shall be borne by said school.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Black of Bennington, the rules were suspended and reading of the amendment was dispensed with.

On motion of Mr. Black of Bennington, the House non-concurred in the adoption of the amendments sent down from the Honorable Senate, and asked that a Committee of Conference be appointed.

The Speaker appointed as members of such committee on the part of the House, Messrs. Black of Bennington, Lang of Manchester and Pickett of Keene.

The message also announced that the Senate had passed a bill with the following title, in passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 43, An Act relative to Flag Bearing Battalion of New Hampshire National Guard.

### Senate Bill Read and Referred

Senate Bill No. 43, An Act relative to Flag Bearing Battalion of New Hampshire National Guard.

Read a first and second time and referred to the Committee on Military and Veterans' Affairs.

Mr. Chase of Dover moved that the rules be suspended to dispense with the reference to committee.

On a *viva voce* vote, the motion prevailed.

The bill was then referred to the Committee on Appropriations.

Mr. Scamman of Stratham moved that the rules be suspended to dispense with the reference to Committee on Appropriations of Senate Bill No. 43.

On a *viva voce* vote, the motion prevailed.

Mr. Chase of Dover moved that the rules be so far suspended as to allow the third reading and final passage, by title only, at the present time of Senate Bill No. 43.

On a *viva voce* vote, the motion prevailed.

The bill was read a third time and passed and sent to the Secretary of State to be engrossed.

### Committee of Conference

The Speaker appointed the following members to the Committee of Conference to House Bill No. 474, An Act relative to lay out of Class I and II highways and assessment of damages, Messrs. Rogers of Laconia, Faulkner of Keene, and Soucy of Manchester, Ward 1.

### Resolution

Mrs. Brungot of Berlin offered the following resolution:

*Whereas*, Mr. Arthur J. Bergeron of Berlin is seriously ill in the hospital, and

*Whereas*, Mr. Bergeron was a member of the 1938 Constitutional Convention and well known amongst the members of the House of Representatives, therefore be it

*Resolved*, that we, the members of the House of Representatives of the New Hampshire General Court, sincerely wish him a speedy recovery, and be it further

*Resolved*, that the Clerk of the House transmit to Mr. Bergeron a copy of these resolutions.

On a *viva voce* vote the resolution was adopted.



### Reconsideration

Mr. Pickett of Keene moved that the House reconsider its vote whereby it indefinitely postponed Senate Bill No. 125, An Act relative to the operation of motor vehicles by minors under the age of eighteen years.

The question being on the motion.

(Discussion ensued)

Messrs. Pickett of Keene, Pillsbury of Manchester, Lavoie of Manchester, and Mesdames DeLude of Unity and Perry of Jaffrey, spoke in favor of the motion.

Messrs. Rainie of Concord, Brown of Loudon, Brown of Marlow, Clement of Rochester, Willey of Campton, Pryor of Ashland, Cole of Lebanon, and Wadleigh of Milford spoke against the motion.

On a *viva voce* vote, the motion did not prevail.

On motion of Mr. Wadleigh of Milford, the House adjourned from the morning session.

### Afternoon

The House was immediately called to order in afternoon session.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow third readings of bills by title and joint resolutions by caption only, and when the House adjourns today it be to meet Wednesday morning at 11:00 o'clock.

### Third Readings

House Bill No. 113, An Act to provide for a study and establishment of recreational areas in the Lake Winnepesaukee region.

Read a third time and passed and sent to the Senate for concurrence.

### Reconsideration

Mr. Hart of Laconia moved that the House reconsider its vote whereby it passed House Bill No. 113.

On a *viva voce* vote, the motion did not prevail.

House Bill No. 125, An Act relative to mental hygiene clinics.

House Bill No. 136, An Act relative to school building aid.

House Bill No. 345, An Act relating to absentee voting at biennial elections in Berlin.

House Joint Resolution No. 63, Joint Resolution relative to mileage allowance for Alonzo P. Weeks and others.

Severally read a third time and passed and sent to the Senate for concurrence.

Senate Bill No. 115, An Act amending chapter 17, section 18 of the Revised Laws of 1942 relating to certificates required in committing a patient to the state hospital.

Senate Bill No. 122, An Act to lay out and construct a service road connecting with the Eastern New Hampshire Turnpike.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

### Reconsideration

Mr. Pickett of Keene moved that the House reconsider its vote whereby it passed House Bill No. 136, An Act relative to school building aid.

On a *viva voce* vote, the motion did not prevail.

On motion of Mrs. Dustin of Rochester at 3:22 o'clock the House adjourned.

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WEDNESDAY, AUGUST 3, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

O God our Creator, and Who didst breathe into man the breath of life, and Who through Thy Son Jesus Christ hast said: "I am come that ye might have life, and have it abundantly," help us to fully realize that we cannot have that full measure of life apart from Thee. In this day of the progress of might and power, of almost unbelievable scientific development, and much of all this to add to the comfort and ease of our daily living, help us our God, lest we forget the Sources of our life, and seek satisfaction in the achievements of our own hands. The Psalmist has said: "The Lord is the portion of mine inheritance." Of all the good things of our man-made inheritance, may we ever remember, O Lord, that in Thee "we live and move and have our being." In the Name of Jesus Christ. Amen.

### Salute to the Flag

Senator Foote of District No. 24 led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Weeks of Wolfeboro, Carpenter of Henniker, and Nickerson of East Kingston were granted leave of absence for the day on account of important business.

### Committee Reports

Mr. Robb of Manchester, for the Committee on Transportation, to whom was referred Senate Bill No. 131, An Act relative to weight of certain combination vehicles and semi-trailers, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

On motion of Mr. Geisel of Manchester, the rules were suspended to allow the presentation of a committee report not previously advertised.

Mr. Geisel of Manchester, for the Committee on Banks, to whom was referred Senate Bill No. 119, An Act concerning investments by savings banks, having considered the same, reported the same with the recommendation that the bill ought to pass.

The report was accepted and the bill ordered to a third reading.

Mr. Tilton of Laconia, for the Committee on Appropriations, to whom was referred Senate Joint Resolution, No. 8, Joint Resolution in favor of Harry L. Hurlbert, having considered the same, reported the same with the following amendment, and the recommendation that the joint resolution as amended ought to pass.

Amend the joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That the sum of six hundred twenty-six dollars and eighteen cents for the fiscal year ending June 30, 1956 and a like sum for the fiscal year ending June 30, 1957 be and hereby are appropriated to provide funds for Harry L. Hurlbert in

recognition of his having become disabled due to an accident occurring in 1947, while on active duty for the fish and game department, the resulting disability having become acute during the year 1955. The sums hereby appropriated shall be expended by the fish and game department to said former employee in such installments as it may determine and said sums shall be charges upon the fish and game fund.

The report was accepted, the amendment adopted, and the joint resolution ordered to a third reading.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred, Concurrent Resolution relating to permanent office space for legislative use, having considered the same, reported the same with the following resolution:

*Resolved*, that the resolution be referred to the legislative council with instruction to work with the executive branch of the state government in the interim before the next session so that suitable space may be made available for the 1957 session of the legislature.

The report was accepted and the resolution of the committee adopted.

Mr. Pillsbury of Manchester, for the Committee on Appropriations, to whom was referred, Concurrent Resolution relating to business supervisor of institutions, having considered the same, reported the same with the recommendation that the concurrent resolution ought to pass.

The report was accepted, the concurrent resolution adopted and sent to the Senate for concurrence.

Mr. Bell of Plymouth, for the Committee on Appropriations, to whom was referred House Bill No. 365, An Act relative to taxation in Pittsburg and Clarksville, having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to tax valuation of property acquired by the water resources board.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Water Resources.* Amend section 13, chapter 266, Revised Laws (section 14, chapter 481, RSA), by striking out said section and inserting in place thereof the following: 13. *Tax Exemption.* All property and rights acquired by the corporation shall be exempt from all taxation; but the corporation shall make payments, on or before the first day of December in each year, to each town in which property or rights acquired by the corporation are located, of such sums as would have been assessed against said property and rights in such town if the same had been included in the tax invoice for such year at the tax valuation of the same on April 1, 1955.

The report was accepted, and the amendment adopted.

Mr. Scamman of Stratham offered the following amendment:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Water Resources.* Amend section 13, chapter 266, Revised Laws (section 14, chapter 481, RSA), by striking out said section and inserting in place thereof the following: 13. *Tax Exemption.* All property and rights acquired by the corporation shall be exempt from all taxation; but the corporation shall make payments, on or before the first day of December in each year, to each town in which property or rights acquired by the corporation are located. Such sums shall be based on the tax rate then current in each town or city and on the average assessed valuation for a period of five years prior to the acquisition by the corporation, provided that whenever a town or city wherein corporation land is located shall have made a general re-evaluation of property for tax assessment purposes then the new values shall be used for the determination of the sums as would have been assessed against said property and rights in such town or city if the same had been included in the tax invoice for such year. Betterments, changes in land use or new structures are exempted and shall not be used for the determination of such sums to be paid in lieu of taxes.

The question being on the amendment.

Mr. Scamman of Stratham spoke in favor of the amendment.

On a *viva voce* vote, the amendment was adopted and the bill ordered to a third reading.



Mrs. Payette of Portsmouth, for the Committee on Executive Departments and Administration, to whom was referred Senate Bill No. 114, An Act to amend the municipal finance act relative to borrowing for school purposes, having considered the same, reported the same with the following amendment, and recommended that the bill as amended ought to pass.

Amend paragraph (a) of section 4-b of chapter 72 of the Revised Laws as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following: (a) The debt limitation hereinbefore prescribed, except for counties, shall be based upon the applicable last locally assessed valuation of the municipality as last equalized by the tax commission.

Amend said bill by inserting after section 2 the following new section:

3. *Definition.* Amend the definition of net indebtedness in section 1 of chapter 72 of the Revised Laws (section 1, chapter 33, RSA) by inserting after the word "outstanding" in the first line the words, and authorized, so that said definition as amended shall read as follows: Net Indebtedness. All outstanding and authorized indebtedness, heretofore or hereafter incurred by a municipality, exclusive of unmatured tax anticipation notes issued according to law, debts incurred for supplying the inhabitants with water or for the construction or maintenance of water works, debts incurred to finance new sewerage systems or sewage disposal works when the cost thereof is to be financed by sewer rent or sewer assessments, debts incurred pursuant to section 10 of chapter 51 of the Revised Laws, debts incurred outside the statutory debt limit of the municipality under any general law or special act heretofore enacted (unless otherwise provided in such legislation), and sinking funds and cash applicable solely to the payment of the principals of debts incurred within the debt limit.

Amend section 3 of said bill by striking out the words "special act so long as such special act shall remain in effect" in the seventh and eighth lines and inserting in place thereof the words and figures, an act passed June 1, 1955, so that said section as amended shall read as follows:

3. *Application of Statutes.* Nothing contained in this

chapter shall affect any action taken by a county, city, town, school district, or village district before the enactment hereof and all issues of bonds or notes authorized before the enactment hereof shall be issued in accordance with the law as it existed at the time of the action taken by such county, city, town, school district or village district. Nothing contained in this chapter shall affect the debt limitations of the city of Manchester as provided by an act passed June 1, 1955.

Amend section 4 of said bill by striking out said section and inserting in place thereof the following:

4. *Application and Interpretation.* Chapter 11, Laws of 1955, shall not apply to indebtedness voted and authorized by any school district or city subsequent to the effective date of this act, but otherwise said chapter 11 shall remain effective in accordance with its provisions.

Further amend the bill by renumbering sections 3, 4 and 5 to read 4, 5, and 6.

Reading of the amendment having commenced, on motion of Mr. Rainie of Concord, the rules were suspended and further reading dispensed with.

The report was accepted.

The question being on the amendment.

On a *viva voce* vote, the amendment was adopted and the bill ordered to a third reading.

Mr. Pickett of Keene, for the Committee on Judiciary, to whom was referred Senate Bill No. 132, An Act relative to discharge or removal of county employees and municipal officials and employees.

Having considered the same, reported the same with the following resolution:

*Resolved*, that it is inexpedient to legislate.

The report was accepted.

Mr. Vogel of Canterbury moved that the words "ought to pass" be substituted for those of, inexpedient to legislate.

The question being on the motion.

(Discussion ensued)

Mr. Vogel of Canterbury spoke in favor of the motion.

Messrs. Faulkner of Keene, Pickett of Keene, Perley of Lebanon, and Rainie of Concord and Mrs. Frizzell of Charlestown spoke against the motion.

On a *viva voce* vote, the motion did not prevail.

The question being on the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote, the resolution of the committee was adopted.

Mr. Moher of Dover, for the Committee on Judiciary, to whom was referred Senate Bill No. 134, An Act granting the attorney general subpoena power in certain cases.

Having considered the same, reported the same with the following resolution:

*Resolved*, that it is inexpedient to legislate.

The report was accepted and the resolution of the committee adopted.

Mr. Faulkner of Keene moved that the rules be suspended to allow a committee report not previously advertised.

On a *viva voce* vote, the motion prevailed.

Mr. Wheeler of Keene, for the Special Committee consisting of the delegation from the City of Keene, to whom was referred House Bill No. 484, An Act relative to the membership of the council in the city of Keene.

Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend said bill by striking out the title and inserting in place thereof the following:

An Act relative to the elections for the city of Keene.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *City of Keene.* Amend section 3, chapter 341, Laws of 1953, by striking out said section and inserting in place thereof the following: 3. *Nomination and Election of Candidates.* The name of any person shall be printed upon the primary ballots upon his filing with the city clerk, not later than five o'clock in the afternoon of the fifteenth day before the primary, his declaration in writing that he is a candidate for any office to be filled at the succeeding municipal election and paying to the city clerk a filing fee of two dollars except in the case of filing for mayor, when the filing fee shall be five dollars; provided, however, that the name of any person shall be printed upon the primary ballot without the filing

of a declaration or the payment of a fee, if a petition in his behalf signed by at least fifty qualified voters shall have been filed with the city clerk not later than five o'clock in the afternoon of the tenth day before the primary. The petition shall consist of at least fifty individual certificates, each in form substantially as follows:

"I do hereby join in a petition for the publication on the primary ballot of the name of .....  
 ....., residing at .....  
 (street, ward) for the office of .....  
 to be voted for at the primary election to be held by the City of Keene on the .....  
 day of ....., 19...., and I certify that I am qualified to vote for a candidate for said office, and am not a signer of any other similar petition for any other candidate for the above office; that my residence is ..... (street, ward). I further certify that I believe the above named person is especially qualified to fill said office.  
 (signed) ....."

Several certificates may be printed on one paper. One of the signers of each such paper shall make an oath before an officer competent to administer oaths that the statements therein made are true to his best knowledge and belief, and that each signature to the paper is the genuine signature of the person whose name it purports to be. The city clerk shall furnish upon application a reasonable number of forms of individual certificates of the above character. No primary petition shall be accepted by the city clerk without an endorsement thereon by the candidate consenting to the printing of his name on the primary ballot as requested in the petition. When a primary petition is presented for filing to the city clerk, he shall forthwith examine the same and ascertain whether it conforms to the provisions of this section, and if not found in conformity thereto, he shall designate the defect and return the petition to the candidate in whose behalf it was filed. Such petition may again be presented when properly amended if this can be done within the time allowed for filing such primary petitions. The names of the two candidates for mayor receiving the greatest number of votes cast in the city, and the names of the four candidates for councilmen in each ward receiving the largest number of the votes cast at

the primary for councilmen in each ward shall be printed upon the ballot to be used at the succeeding municipal election as nominees for such offices.

2. Amend section 8, chapter 439, Laws of 1949, by striking out the same and inserting in place thereof the following:

8. *Terms of Office.* Terms of office shall begin from the first secular day of January next following election and until their successors are chosen and qualified. The term of office of the mayor shall be two years. Beginning with the biennial election in November 1955, and biennially thereafter there shall be elected in each ward of the city two councilmen. The candidate in each ward receiving the largest number of votes shall hold office for a term of four years and the candidate in each ward receiving the next largest number of votes shall hold office for a term of two years.

3. *Legalization of Election; Present Incumbents.* The election of the mayor and councilmen at the November election, 1953, is hereby legalized, ratified and confirmed. The term of office of the councilman in each ward now in office who received the largest number of votes at the 1953 election shall be until the first secular day of January, 1958. The term of office of the remaining councilmen now in office shall expire as of the first secular day of January, 1956.

4. *Takes Effect.* This act shall take effect upon its passage.

Reading of the amendment having commenced, on motion of Mr. Faulkner of Keene, further reading was dispensed with.

The report was accepted.

The question being on the amendment.

Messrs. Faulkner and Pickett of Keene spoke in favor of the amendment.

On a *viva voce* vote, the amendment was adopted and the bill ordered to a third reading.

Mrs. Brungot of Berlin, for the Committee on Judiciary, to whom was referred Senate Bill No. 129, An Act relative to powers of the superior court on immunity of witnesses, having considered the same, reported the same with the recommendation that the bill ought to pass.



We, the undersigned, a minority of the Committee on Judiciary, to whom was referred Senate Bill No. 129, An Act relative to powers of the superior court on immunity of witnesses, having considered the same, and being unable to agree with the majority, report the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

JAMES C. RATHBONE,  
FRANK J. BENNETT,  
MARTHA FRIZZELL,  
GEORGE S. PAPPAGIANIS,  
FRED A. JONES,  
T. CASEY MOHER,  
*A Minority of the Committee.*

The reports were accepted.

Mr. Rathbone of Exeter moved that the report of the minority be substituted for that of the majority.

The question being on the motion.

(Discussion ensued)

Messrs. Rathbone of Exeter, Moher of Dover and Bennett of Keene and Mrs. Frizzell of Charlestown spoke in favor of the motion.

Mrs. Brungot of Berlin and Mr. Pickett of Keene spoke against the motion.

(Mr. Crandall of Dover in Chair)

Messrs. Robinson of South Hampton and Rainie of Concord spoke in favor of the motion.

Mrs. Studley of Rochester and Mr. Pillsbury of Manchester spoke against the motion.

Mr. Craig of Manchester moved that the bill be indefinitely postponed.

The question being on the motion.

(Speaker in Chair)

Messrs. Craig of Manchester, Healy of Manchester, Ward 6, Charland of Franklin, Waling of Keene and Rathbone of Exeter spoke in favor of the motion.

Messrs. Perley of Lebanon, Reed of Goffstown, Brown of Marlow, Horan of Manchester, Brown of Loudon, and Faulkner of Keene, and Mrs. Brungot of Berlin spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote, the previous question was ordered.

The question being on the motion to indefinitely postpone.

Mr. Craig of Manchester called for a division.

A division being had, 49 members having voted in the affirmative, and 204 members having voted in the negative, the motion did not prevail.

The question being on the motion to substitute the minority report.

On a *viva voce* vote, the motion did not prevail and the bill was ordered to a third reading.

Mr. Faulkner of Keene moved that the rules be suspended to allow the third reading and final passage, by title only, of Senate Bill No. 129, An Act relative to powers of the superior court on immunity of witnesses.

On a *viva voce* vote, the motion prevailed and the bill was read a third time and passed and sent to the Secretary of State to be engrossed.

### Reconsideration

Mr. Faulkner of Keene moved that the House reconsider its vote whereby it passed Senate Bill No. 129.

On a *viva voce* vote, the motion did not prevail.

Mr. Scamman of Stratham moved that the House suspend the rules to allow the third reading of House Bill No. 365, An Act relative to tax valuation of property acquired by the water resources board, and House Bill No. 484, An Act relative to the election for the city of Keene, and final passage, by title only, at the present time.

On a *viva voce* vote, the motion prevailed and the bills were severally read a third time and passed and sent to the Senate for concurrence.

Mr. Lafond of Manchester, for the Special Committee consisting of the members from the city of Manchester, to whom was referred Senate Bill No. 117, An Act amending chapter 226 of the Session Laws of 1921, having considered the same, reported the same with the recommendation that the bill ought to pass.

The undersigned, a minority of the Special Committee consisting of the members from the city of Manchester, to whom was referred Senate Bill No. 117, An Act amending chapter 226 of the Session Laws of 1921, having considered the same and being unable to agree with the majority, report the same with the following resolution:

*Resolved*, that it is inexpedient to legislate.

JAMES L. MAHONY,  
K. W. ROBB,  
HARRY DANFORTH,  
EMILE J. SOUCY,  
JAMES PETTIGREW,  
ALONZO J. TESSIER,  
GEORGE A. LANG,  
*A Minority of the Committee.*

The reports were accepted.

Mr. Mahony of Manchester moved that the minority report be substituted for that of the majority.

The question being on the motion.

(Discussion ensued)

Messrs. Mahony and Soucy of Manchester, Ward 1 spoke in favor of the motion.

Messrs. Corey, Horan, Lesmerises and Casey of Manchester spoke against the motion.

Mr. Casey of Manchester called for a division.

A division being had, 125 members having voted in the affirmative, and 97 members having voted in the negative, the motion prevailed.

Mr. Casey of Manchester demanded the yeas and nays and the roll was called with the following result:

#### Yeas — 141

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Herrick, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Fortin, Goodwin, Spaulding, Lang of Manchester, Pettigrew, Soucy of Manchester, Ward 1, Danforth, Mahony of Manchester, Kean, Nolan, Leclerc, Tessier, Auger, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Buckley, Cummings, Saunders, Thibault of Nashua, Locke, Dutton, Rice, Willard, Bardol.

CHESHIRE COUNTY: Post, Thomas, Smith of Hinsdale, Kirk, McCullough, Wheeler, Bennett, Brown of Keene, Coddington, Faulkner, Brown of Marlow, Lane, Lang of Troy, Ballam, Rhodes, Ingham, Thompson.

SULLIVAN COUNTY: Bascom, Frizzell, Rowell, Gamsby.

GRAFTON COUNTY: Pryor, Plumer, Clarke of Canaan, Sanborn, Holden, Chamberlain of Holderness, Cole, Townsend, Kelley, Carr, Bell, Huckins, Sawyer.

COOS COUNTY: Ferguson, Cornelius, Annis, Converse, Baker, Taylor.

ROCKINGHAM COUNTY: Dudley, Shattuck, Bisbee, Clarke of Derry, Eldredge, Merrill, Jones of Fremont, Spollett, Battles, Parmenter, Cheney, Carter, Pinkham, Palmer, Murch, Quirk, Wardwell, Philbrick, Haigh, Willis (Anna), Willis (Howard), Pillsbury of Sandown, Felch, Scamman.

STRAFFORD COUNTY: Swain, Felker, Webb, Crandall, Funkhouser, Wentworth, Studley, Clement of Rochester, Estes.

BELKNAP COUNTY: McAllister, Hart, Rogers, Tilton, Karagianis, Dana, Varrell, Smith of Meredith, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Benson, Roberts, Nickerson of Madison, Lamprey, Remick, Hodgdon.

MERRIMACK COUNTY: Vogel, Stevens, Shea of Concord, Lessels, Rainie, Maxham, Broadhurst, Dempsey, Mason, Mulaire, Davis of Hopkinton, Wilman, Ayer of Pittsfield, Bigelow, Bean, Workman.

### Nays — 125

HILLSBOROUGH COUNTY: Black, Farwell, Latour, Geisel, Pillsbury of Manchester, Dwyer, Hayes, Horan, Sullivan, Fitzgerald, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Walsh, Callahan, Casey, Clancy, Ecker, Healy of Manchester, Ward 6, Slowey, Corey, Craig, Delisle, Lavoie, Constant, Bergeron, Schricker, Alexander, Hurley, Lareau, Dion of Manchester, Lesmerises, Cannon, Donnelly, Gamache, Belcourt, Brosnahan, Maynard, Pappagianis, Dionne of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Langelier, Bouthillier, Dumais, Eastman of Weare.

CHESHIRE COUNTY: Perry, Haley, Pickett, Waling, Sherwin, Terrill, Billings.

SULLIVAN COUNTY: Angus, Bissonett, Firestone, Millar, Davis of Cornish, Nelson of Goshen, Reney, Bailey, Vaughan of Newport, DeLude.

GRAFTON COUNTY: Ramsey, Chamberlin of Bath, Campion, Bradley, Adams, Jones of Lebanon.

COOS COUNTY: Dussault, Fortier, Brungot, Gagnon, Alls, Hurlbert, Simonds, Bushey, Stinson.

ROCKINGHAM COUNTY: Griffin of Auburn, Persson, Tenney, Fogg, Blair, Eastman of Exeter, Rathbone, Weeks of Greenland, McCaffery, Barrett, Dondero, Hundley, Payette, Travis, Ingraham, Waterhouse.

STRAFFORD COUNTY: Moher, Pearson, Flanagan, Littlehale, Chadbourn, Evans, Dustin, St. Pierre, Brown of Strafford.

BELKNAP COUNTY: Gardner of Gilford, Morin, Simonneau, Burbank.

CARROLL COUNTY: Ford.

MERRIMACK COUNTY: Phelps, Ellsworth, Vaughn of Bow, Dowd, Ferrin, Henry, Jewett, Cilley, Walker, Nutter, Burke, Charland, Brown of Loudon, Lovejoy.

### Pairs

Mr. Robb of Manchester voting Yes; paired with Mr. Morris of Manchester voting No.

Mr. Skinner of Alton voting Yes; paired with Mr. Boisvert of Manchester voting No.

Mr. Ashley of Lebanon voting Yes; paired with Mr. Rines of Carroll voting No.

Mrs. Davis of Concord voting Yes; paired with Miss Collyer of Lisbon voting No.

Mrs. Martin of Littleton voting Yes; paired with Mrs. Christiansen of Berlin voting No.

And the motion to substitute prevailed.

### Reconsideration

Mr. Mahony of Manchester moved that the House re-



consider its vote whereby it substituted the minority report for that of the majority, to Senate Bill No. 117.

On a *viva voce* vote, the motion did not prevail.

The question being on the resolution of the committee, that it is inexpedient to legislate.

On a *viva voce* vote, the resolution of the committee was adopted.

### Reconsideration

Mr. Mahony of Manchester moved that the House reconsider its vote whereby it adopted the resolution of the committee, inexpedient to legislate.

On a *viva voce* vote, the motion did not prevail.

### Report of Committee on Engrossed Bills

Mrs. Palmer of Plaistow, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bills:

House Bill No. 295, An Act relative to re-examination of holders of licenses to operate motor vehicles.

House Bill No. 363, An Act relative to pedestrians and to dimming lights on motor vehicles and trailer break-away safety chains on trailers.

House Bill No. 545, An Act relative to the salary of the justice of the Newport municipal court.

The report was accepted.

### Reconsideration

Mr. Vogel of Canterbury moved that the House reconsider its vote whereby it adopted the resolution of the committee of, inexpedient to legislate, on Senate Bill No. 132, An Act relative to discharge or removal of county employees and municipal officials and employees.

The question being on the motion.

(Discussion ensued)

Mesdames Studley of Rochester and Frizzell of Charlestown, and Mr. Clement of Rochester spoke in favor of the motion.

Messrs. Rainie of Concord and Faulkner of Keene and Mrs. Brungot of Berlin spoke against the motion.

On a *viva voce* vote, the motion did not prevail.

### Committee Report

Mr. Black of Bennington moved that the rules be suspended to allow the presentation of a committee report not previously advertised in the Journal.

On a *viva voce* vote, the motion prevailed.

Mr. Black of Bennington, for the Committee on Public Welfare and State Institutions, to whom was referred a Concurrent Resolution relating to possible abuse of welfare aid.

Having considered the same, reported the same with the recommendation that the concurrent resolution be referred to the Legislative Council.

The report was accepted and the resolution of the committee adopted.

### Report of Committee of Conference

The Committee of Conference, to whom was referred Senate Bill No. 113, An Act relative to the rate of tax on interest and dividends, having considered the same, report the same with the following recommendation:

That the Senate recede from its position of non-concurrence, that the House recede from its position in adopting the amendment, and that the following amendment be adopted.

Amend section 1 by striking out the same and inserting in place thereof the following:

1. *Income Tax.* Amend section 1 of chapter 78 of the Revised Laws (section 1, chapter 77, RSA), by striking out said section and inserting in place thereof the following: 1. *Rate.* The annual tax upon income shall be levied at the rate of four and one-quarter percent ( $4\frac{1}{4}\%$ ).

ARCHIBALD H. MATTHEWS,  
N. A. McMEEKIN,

*Conferees on the Part of the Senate.*

J. H. GEISEL,  
JAMES C. RATHBONE,  
LAURENCE M. PICKETT,

*Conferees on the Part of the House.*

On motion of Mr. Geisel of Manchester, the report of the Committee of Conference was agreed to.

### Report of Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 167, An Act relative to expenditure of state funds on class IV compact section highways, having considered the same, report the same with the following recommendation:

That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendments, and that the following amendments be adopted:

Amend said bill by inserting after section 1 thereof the following new sections:

2. Amend section 4, part 1 of chapter 90 of the Revised Laws as inserted by chapter 188, Laws of 1945 and amended by chapter 30 of the Laws of 1951 by striking out said section and inserting in place thereof the following: 4. *Classification*. Highways of the state shall be divided into six classes as follows:

I. Class I highways shall consist of all existing or proposed highways on the primary state highway system, excepting all portions of such highways within the compact sections of cities or towns of three thousand inhabitants and over.

II. Class II highways shall consist of all existing or proposed highways on the secondary state highway system, excepting all portions of such highways within the compact sections of cities or towns of three thousand inhabitants and over.

III. Class III highways shall consist of all recreational roads leading to, and within, state reservations designated by the legislature.

IV. Class IV highways shall consist of all highways within the compact sections of cities or towns of three thousand inhabitants and over. The compact section of any such city or town shall be the territory within such city or town where the frontage on any highway, in the opinion of the highway commissioner, is mainly occupied by dwellings or buildings in which people live, or business is conducted, throughout the year and not for a season only.

IV-a. The number of inhabitants for the determination of Class IV highways shall be those shown by the latest available federal census and where the classification of any highway under this section is dependent upon the number of

inhabitants of a city or town such classification shall be changed in accordance with the changed population of such city or town as reported by said census; provided, that in towns where colleges or other institutions of higher learning are located and students residing within the town during the school year only have been included in the federal census figures, the commissioner of public works and highways shall deduct from the federal census figures the number of such students as shown by a signed statement by the head of the college or other institution of higher learning.

V. Class V highways shall consist of all other traveled highways which the town has the duty to maintain regularly and shall be known as town roads.

VI. Class VI highways shall consist of all other existing public ways, and shall include all highways discontinued as open highways and made subject to gates and bars, and all highways which have not been maintained and repaired by the town in suitable condition for travel thereon for five successive years or more.

3. *Aid for Town Highways.* Amend section 2, part 13, chapter 90 of the Revised Laws, as inserted by chapter 83, Laws of 1951 and amended by chapter 31, Laws of 1953 (section 2, chapter 241, RSA) by striking out the words "twenty-five hundred" in the nineteenth line thereof and inserting in place thereof the words, three thousand, so that said section as amended shall read as follows: 2. *Apportionment.* All funds available to cities, towns and unincorporated places, pursuant to the provisions hereof shall be allotted by the commissioner of public works and highways upon the following basis: (a) *Apportionment A.* The commissioner shall apportion, on the basis of a sum of not less than nine hundred thousand dollars, to each city, town and unincorporated place, an amount based on the proportion which the mileage of the regularly maintained Class IV and Class V highways in that city, town or unincorporated place, as of January 1st of the previous year, bears to the total mileage of the regularly maintained Class IV and Class V highways in the state as of that date. Any city or town issuing bonds or long term notes to accelerate the improvement of its Class IV and Class V highways may apply any part of the funds herein apportioned. for a period not to exceed five years or with the approval of the commissioner for a period not to

exceed ten years, to aid in the retirement of such bonds or notes: (b) *Apportionment B.* The commissioner shall apportion to each city and town of three thousand inhabitants and over, one thousand dollars per mile for the mileage of Class IV highways which are urban extensions of Class I and Class II highways. If the projects submitted are eligible for federal assistance this apportionment must be used to match any federal funds which may be available to the applicant city or town. Any city or town issuing bonds to accelerate the improvement of arterial routes within its compact area may apply any part of the funds herein apportioned, for a period not to exceed ten years, to aid in the retirement of such bonds: (c) *Apportionment C.* The commissioner shall apportion to eligible cities or towns the amount of federal funds which are available for their use.

4. *Highways; Regulation.* Amend section 1 of part 19 of chapter 90 of the Revised Laws as inserted by chapter 188 of the Laws of 1945 (section 5, chapter 249, RSA) by striking out the words "twenty-five hundred" in the third line thereof and inserting in place thereof the words, three thousand, so that said section as amended shall read as follows: 1. *Regulation.* The commissioner may regulate the use of Class I, Class II and Class III highways in towns of less than three thousand population and in other towns outside the compact portion thereof as determined by him. He may establish stop intersections, erect stop signs, or other traffic devices or signals thereon or upon any highway entering therein.

Further amend said bill by renumbering section 2 to read section 5.

J. B. PERLEY,  
JOHN B. MULAIRE,  
J. P. ROGERS,

*Conferees on the Part of the House.*

E. C. FERGUSON,  
NORMAN S. PACKARD,

*Conferees on the Part of the Senate.*

Reading of the report having commenced, on motion of Mr. Rogers of Laconia, the rules were suspended to dispense with further reading.

On motion of the same member, the report of the Committee of Conference was agreed to.



### Report of Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 450, An Act relative to non-resident fishing licenses, having considered the same, report the same with the following recommendation:

That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendments and that the following amendments be adopted:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to non-resident and hunting licenses and relative to damage by bear and the taking of lobsters.

Amend said bill by striking out section 2 and inserting in place thereof the following new sections:

2. *Non-residents.* Amend paragraph III of section 6, chapter 247 of the Revised Laws as amended by section 2, chapter 217, Laws of 1947, and section 3, chapter 181, Laws of 1951 (paragraph VI, section 9, chapter 214, RSA) by striking out the word "twenty" in the second line and inserting in place thereof the word, twenty-five, so that said paragraph as amended shall read as follows: III. If the applicant is a non-resident and wishes to hunt, twenty-five dollars, and said agent shall thereupon issue a non-resident hunting license which shall entitle the licensee to hunt, shoot, kill or take, except by the use of traps, and to transport game birds and game animals, under the restrictions of this title.

3. *Non-resident Minors.* Amend paragraph III-a of section 6, chapter 247, Revised Laws as inserted by section 3, chapter 163, Laws of 1947, and as amended by section 4, chapter 181, Laws of 1951 (paragraph VII, section 9, chapter 214, RSA) by striking out the word "twenty" and inserting in place thereof the word, twenty-five, so that said paragraph as amended shall read as follows: III-a. If the applicant is a non-resident under sixteen years of age and wishes to hunt, twenty-five dollars, and said agent shall thereupon issue a non-resident minor's hunting license which shall entitle the licensee to hunt, shoot, or take game animals when accompanied by another licensee twenty-one years of age or over, and to transport game animals under the restrictions of this title.

4. *Damage by Bear.* Amend section 1 of chapter 180 of the Revised Laws (section 1, chapter 470, RSA) by striking out said section and inserting in place thereof the following: 1. *Damage.* A person who suffers loss or damage to livestock, bees, orchards or growing crops, by bear, shall, if he claims damages therefor, notify the director of fish and game in writing of such damage. The director or his agent shall investigate such claim within thirty days from the receipt by him of notice of such damage, determine whether such damage was caused by bear and appraise the amount to be paid. The appraisal shall be made within sixty days from the receipt of the notice of damage; and the director shall present his certificate of the amount of appraisal to the governor, who is authorized to draw his warrant upon any money in the treasury not otherwise appropriated in payment therefor.

5. *Lobsters.* Amend chapter 245 of the Revised Laws (chapter 211, RSA) by inserting after section 44 the following new section: 44-a. *Prohibition.* No person shall at any time take from any waters under the jurisdiction of this state any lobsters by diving, spearing or dipping.

6. *Application.* Nothing herein shall be construed as affecting the provisions of chapter 105, Laws of 1955.

7. *Effective Dates.* That part of paragraph IV of section 6 of chapter 247, Revised Laws, as amended by section 1 of this act, providing for an increase in the fee for the fifteen day non-resident fishing license, and the provisions of sections 4, 5, and 6 shall take effect upon the passage of this act; the remaining provisions of this act shall take effect as of January 1, 1956.

HARVEY H. CONVERSE,  
BOWDOIN PLUMER,  
ARNOLD T. CLEMENT,

*Conferees on the Part of the House.*

FRED H. WASHBURN,  
DANIEL A. O'BRIEN,

*Conferees on the Part of the Senate.*

On motion of Mr. Converse of Pittsburg the report of the Committee of Conference was agreed to.

### Report of Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 500, entitled "An Act providing for the acquisition of certain dams and water rights by the water resources board", having considered the same, report the same with the recommendation that the House recede from its position of non-concurrence in the adoption of the Senate amendment to the bill and that the Senate recede from its position in the adoption of its amendments to the bill and that the House and Senate adopt the following amendments to the bill:

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *Acquisition Authorized.* The water resources board is hereby authorized to accept from the owners thereof the following described property for the purpose of improving and controlling certain water rights for the benefit of the state: (1) dams and water rights controlling Pawtuckaway pond and Mendum pond in the towns of Nottingham and Barrington together with approximately seven hundred acres of land bordering said waters in said towns. Said board after said acquisition shall make repairs and modifications to said dams and shall place them in condition to best serve the interests of the state. The water resources board is further authorized (2) to acquire from the owners thereof on such terms and conditions as it may deem suitable the dams and water rights on and in the Suncook river extending from the town of Barnstead through Gilmanton to the town of Alton, for the purpose of making repairs and modifications to said dams and placing them in condition to best serve the interests of the state. The costs of the projects hereunder shall be a charge upon the appropriations made for said purposes in the act making appropriations for capital improvements passed at the 1955 session. Said appropriations for said purposes shall be continuing appropriations and shall not lapse.

JOHN PILLSBURY,  
FRANK H. SHERIDAN,  
NATHANIEL F. DAVIS,

*Conferees on the Part of the House.*

E. C. FERGUSON,  
ROBERT ENGLISH,

*Conferees on the Part of the Senate.*

On motion of Mr. Pillsbury of Manchester, the report of the Committee of Conference was agreed to.

### Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it adopted the Committee of Conference report to House Bill No. 500, An Act providing for the acquisition of certain dams and water rights by the water resources board.

On a *viva voce* vote, the motion did not prevail.

The same member moved that the House reconsider its vote whereby it adopted the Committee of Conference report to Senate Bill No. 113, An Act relative to the rate of tax on interest and dividends.

On a *viva voce* vote, the motion did not prevail.

The same member moved that the House reconsider its vote whereby it adopted the Committee of Conference report to House Bill No. 450, An Act relative to non-resident fishing and hunting licenses and relative to damage by bear and the taking of lobsters.

On a *viva voce* vote, the motion did not prevail.

The same member moved that the House reconsider its vote whereby it adopted the Committee of Conference report to House Bill No. 167, An Act relative to expenditures of state funds on class IV compact section highways.

On a *viva voce* vote, the motion did not prevail.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bills and joint resolutions:

Senate Bill No. 2, An Act relative to reimbursement to towns and cities for land taken by the United States for flood control.

Senate Bill No. 13, An Act relating to reassessment procedures.

Senate Bill No. 86, An Act relative to expenses of members of commission on interstate cooperation.

Senate Joint Resolution No. 5, Joint Resolution in favor of Louis E. Clement and others.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bills:

Senate Bill No. 31, An Act relative to carrying weapons.

House Bill No. 328, An Act to change the name of the Board of Nurse Examiners and to increase the fees for nurse registration.

House Bill No. 464, An Act relating to the number of lives covered by group life insurance.

The message further announced that the Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on the following entitled bills:

House Bill No. 420, An Act relative to trust deposits in banks.

The President appointed as members of such a committee on part of the Senate, Senator Matthews of District No. 5 and Senator Keller of District No. 6.

House Bill No. 440, An Act relative to the Laconia State School.

The President appointed as members of such a committee on the part of the Senate, Senator Ferguson of District No. 14 and Senator Packard of District No. 16.

House Bill No. 474, An Act relative to lay out of class I and II highways and assessment of damages.

The President appointed as members of such a committee on the part of the Senate, Senator Packard of District No. 16 and Senator Cleveland of District No. 7.

The message further announced that the Senate had voted to adopt the report of the Committee of Conference on the following entitled bills:

Senate Bill No. 113, An Act relative to the rate of tax on interest and dividends.

House Bill No. 167, An Act relative to expenditures of state funds on Class IV compact section highways.

House Bill No. 450, An Act relative to non-resident fishing licenses.



House Bill No. 500, An Act providing for the acquisition of certain dams and water rights by the water resources board.

The message further announced that the Senate had voted to non-concur on Senate Bill No. 126, An Act relative to mileage allowances for legislative officers and employees and establishing a new apportionment for the assessment of public taxes, and asks for a Committee of Conference.

The President has appointed as members of such a committee on the part of the Senate, Senator McMeekin of District No. 3 and Senator English of District No. 11.

On motion of Mr. Scamman of Stratham the House voted to accede to the request of the Honorable Senate.

The Speaker appointed as members of such committee on the part of the House, Mr. Scamman of Stratham, Mrs. Miner of Meredith and Mr. Pickett of Keene.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 468, An Act relative to old age and survivors' insurance coverage and the administration thereof.

Amend said bill by striking out sections 4, 5, 6 and 8 thereof, and by renumbering section 7 to be number 4, number 9 to be number 5, number 10 to be number 6, and number 11 to be number 7.

Further amend said bill by adding after section 11 as renumbered section 7 the following new section:

8. *Subdivisions.* Amend chapter 201 of the Laws of 1945 (chapter 100, RSA) by inserting after section 7 thereof the following new sections: 7-a. *Revocation of Election.* Notwithstanding any provision of law to the contrary, the governing body of any county, city, town or school district or other political subdivision which has heretofore elected to have its officers and employees become eligible to participate in the state employees' retirement system may, by resolution legally adopted, revoke such election with respect to officers and employees who shall enter the service of such political subdivision

on or after July 1, 1956, and with respect to officers and employees in the service of such subdivision on June 30, 1956, who are inactive members of the state employees' retirement system. As used herein, the phrase "inactive members of the state employees' retirement system" shall mean and refer to persons in the employ of an employer with respect to whom there have not been made the deductions and contributions to the state employees' retirement system directed by this chapter. The phrase shall also include persons who have elected not to become members of said system under an option allowed by law. Such election shall not affect the rights and obligations of the active members or beneficiaries of the employer, nor of the employer with respect to such active members and beneficiaries, except as hereinafter set forth.

7-b. *Notice to Trustees.* The clerk of the subdivision shall forthwith upon the adoption of such resolution notify the trustees thereof, and shall furnish such other information with respect to the employees of the subdivision as the trustees shall request.

7-c. *Contributions.* Upon the receipt of such notification, and from time to time thereafter, the trustees shall determine the contributions thenceforth to be made by the employer with respect to its active members and beneficiaries. The contributions of each employer shall be determined on the basis such that its own past and future contributions shall provide the reserve heretofore established and to be established in the future for the state annuities of its employees. The trustees shall notify the employer of such determination, and the employer shall thereafter contribute to the state employees' retirement system in accordance therewith.

Further amend said bill by renumbering section 12 to read section 9.

Reading of the amendment having commenced, on motion of Mr. Faulkner of Keene, further reading was dispensed with.

On motion of the same member the House concurred in the amendment sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House Bills, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

Senate Bill No. 83, An Act relative to Colby Junior College Highway and Sutton Road.

Amend said bill by inserting after section 2 the following new section:

3. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Rogers of Laconia, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 94, An Act relative to the taking of oysters, lobsters, crabs and clams.

Amend section 9 of said bill by striking out the first two lines and inserting in place thereof the following:

9. *Canned Lobster Meat.* Amend section 47-b of chapter 245 of the Revised Laws, as inserted by section 3, chapter 200 of the Laws of 1951 and as amended by section 1, chapter 231, Laws of 1951 (section 29, chapter 211 RSA)

Further amend said section by striking out the third and fourth sentences of section 47-b as inserted by said section.

On motion of Mr. Converse of Pittsburg, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 410, An Act relative to the use and display of the state flag.

Amend section 1 of said bill by inserting after the figure "1953" the following: (section 4, chapter 3, RSA)

On motion of Mr. Faulkner of Keene, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 223, An Act to simplify requirements for absentee voting.

Amend section 3 of said bill by striking out the same and inserting in place thereof the following:

3. *Penalties.* Amend section 75 of chapter 34 of the Revised Laws (section 15, chapter 60, RSA) by striking out said section and inserting in place thereof the following: 75. *Penalties.* Whoever, prior to the closing of the polls upon election day, shall show or exhibit an unsealed absent voter's ballot to any person, or shall use an absent voter's ballot for any purpose except to vote the same, shall be fined not more than one hundred dollars; provided, that this provision shall not apply to any person engaged in printing or distributing or otherwise dealing with said ballots according to law; and whoever, not being entitled to vote under the provisions of this subdivision, votes or attempts to vote under the provisions hereof, or, being entitled to vote under the provisions, hereof, knowingly votes or attempts to vote in violation of the terms hereof, shall be fined not more than five hundred dollars or imprisoned not more than one year or both.

On motion of Mr. Clement of Rochester, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

House Bill No. 536, An Act modifying the employees' retirement system of the state of New Hampshire and correlating its benefits with federal old-age and survivors' insurance benefits.

Amend section 2 of part II of said bill by striking out the first two lines and inserting in place thereof the following:

2. *Employment Defined.* Amend paragraph II of section 2 of chapter 234 of the Laws of 1951 (Paragraph II, section 2, chapter 101, RSA) by striking

Further amend section 2 of part II of said bill by striking out the last line of said section and inserting in place thereof the following: pursuant to paragraph II of section 13 hereof as hereinafter inserted

Amend section 4 of part II of said bill by striking out the word "administrator" in the sixteenth line and inserting in place thereof the words, Secretary of Health, Education and Welfare

Amend section 3 of part III of said bill by striking out the following: "subparagraph (c) of paragraph I" and inserting in place thereof the following: paragraph III.

On motion of Mr. Angus of Claremont, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate had passed a bill with the following title, in the passage of which it asks the concurrence of the House of Representatives:

Senate Bill No. 133, An Act relating to the apportionment of expenses for municipalities in fighting forest fires and to Class V road aid.

#### **Senate Bill Read and Referred**

Senate Bill No. 133, An Act relating to the apportionment of expenses for municipalities in fighting forest fires and to Class V road aid.

Read a first and second time and referred to the Committee on Appropriations.

On motion of Mr. Scamman of Stratham, the rules were suspended to dispense with the reference to committee and that the bill be put upon its third reading and final passage, by title only, at the present time.

The bill was then read a third time and passed and sent to the Secretary of State to be engrossed.

#### **Resolutions**

Mr. Plumer of Bristol offered the following resolution:

*Whereas*, last year and for several years the Fish and Game Department has made very little effort to enforce the two season, deer hunting law in the towns adjoining the "deer line", so called,

*And Whereas*, the "deer line", so called, is poorly marked and seldom patrolled,



*And Whereas*, the failure to mark and patrol said line has worked great hardship and considerable danger to the people living on or near said line, their lives and property,

*Be it Resolved*, that this House expects the Fish and Game Department to enforce the provisions of the two zone, deer hunting law with the same zeal which is displayed in the enforcement of other hunting laws and regulations,

*And be it Resolved*, that this resolution be printed in the House Journal and that the clerk send a copy of this resolution to the Fish and Game Commission and to the Fish and Game Director.

The question being on the resolution.

Mr. Pillsbury of Manchester moved that the resolution be indefinitely postponed.

Mr. Pillsbury of Manchester spoke in favor of the motion.

Messrs. Plumer of Bristol and Brown of Marlow spoke against the motion.

On a *viva voce* vote, the Chair was in doubt and called for a division.

A division being had, 123 members having voted in the affirmative, and 108 members having voted in the negative, the motion prevailed.

Mr. Brown of Marlow offered the following resolution:

Pertaining to highway route 10 on western side of the state.

*Resolved*, that the department of public works and highways proceed with the original plan for rebuilding and re-locating this important artery from the southern states to the White Mountains area.

The question being on the resolution.

Mr. Brown of Marlow spoke in favor of the resolution.

Mr. Pillsbury of Manchester moved that the resolution be indefinitely postponed.

(Discussion ensued)

Messrs. Pillsbury of Manchester. Rogers of Laconia, and Rhodes of Walpole spoke in favor of the motion.

Mr. Pickett of Keene spoke against the motion.

Mr. Spaulding of Hudson moved that the resolution be laid upon the table.

On a *viva voce* vote, the motion did not prevail.

Mr. Pickett of Keene called for a division.

A division being had, 78 members having voted in the affirmative, and 140 members having voted in the negative, the motion did not prevail.

The question being on the motion to indefinitely postpone.

Messrs. Pillsbury of Manchester and Pickett of Keene spoke in favor of the motion.

Messrs. Spaulding of Hudson and Brown of Marlow spoke against the motion.

On a *viva voce* vote, the motion prevailed.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

### Afternoon

The House was immediately called to order in afternoon session.

On motion of Mr. Wadleigh of Milford the rules were suspended to allow third readings of bills by title and joint resolutions by caption only, and when the House adjourns today it will be to meet Thursday morning at 11:00 o'clock.

### Third Readings

Senate Bill No. 114, An Act relative to borrowing by school districts.

Senate Bill No. 119, An Act concerning investments by savings banks.

Senate Bill No. 131, An Act relative to weight of certain combination vehicles and semi-trailers.

Severally read a third time and passed and sent to the Secretary of State to be engrossed.

Senate Joint Resolution No. 8, Joint Resolution in favor of Harry L. Hurlbert.

Read a third time and passed and sent to the Senate for concurrence in the amendment.

On motion of Mrs. Brungot of Berlin at 4:37 o'clock the House adjourned.

THURSDAY, AUGUST 4, 1955

The House met at 11:00 o'clock.

Prayer was offered by Guest Chaplain Rev. G. Stackley Hurst, Trinity Episcopal Church of Tilton.

"O Almighty God, our Heavenly Father, Lord of all power and giver of grace and wisdom, we commend to Thee all who are engaged in the government of this State; grant to them clean hands, pure hearts, and unfailing devotion to Thy cause of righteousness. To Thee, merciful Lord, we commend their work, praying that it may be such as will promote Thy work in our midst, to the succour of the poor, the relief of the oppressed, the putting down of all social evils, and the redress of all social wrongs. Let all they think or speak or do, be for Thy glory and the good of Thy people. This we ask in the Name of Jesus Christ our Lord. Amen.

### Salute to the Flag

Mr. Griffin of Lincoln led the convention in the salute to the flag.

### Leaves of Absence

Mr. Stevens of Chichester and Mrs. Wentworth of Madbury were granted leave of absence for the day on account of important business.

### Committee Reports

Mr. Scamman of Stratham, for the Committee on Appropriations, to whom was referred House Joint Resolution No. 59, Joint Resolution in favor of Fernand J. Gaudreau, having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted.

Mrs. St. Pierre of Rochester moved that the words "ought to pass" be substituted for those of, inexpedient to legislate.

The question being on the motion.

(Discussion ensued)

Mrs. St. Pierre of Rochester, and Messrs. Spaulding of Hudson and Townsend of Lebanon spoke in favor of the motion.

Messrs. Billings of Westmoreland, Pillsbury of Manchester, Scamman of Stratham, Skinner of Alton, and Cole of Lebanon spoke against the motion.

On a *viva voce* vote, the motion did not prevail.

Mrs. St. Pierre of Rochester called for a division.

A division being had, 141 members having voted in the affirmative, and 134 members having voted in the negative, the motion prevailed.

The bill was ordered to a third reading.

Mr. Scamman of Stratham moved that the rules be suspended to allow the third reading and final passage, by title only, at the present time, of House Joint Resolution No. 59.

On a *viva voce* vote, House Joint Resolution No. 59 was read a third time and passed and sent to the Senate for concurrence.

### Committee Appointed

The Speaker appointed Mrs. Taylor of Whitefield and Mrs. Holmes of Amherst to the Committee on Engrossed Bills.

Mr. Pillsbury of Manchester moved that the concurrent resolution relative to final adjournment be taken from the table.

On a *viva voce* vote, the motion prevailed.

Mr. Pillsbury of Manchester offered the following amendment.

Amend said resolution by striking out the words and figures "Thursday, July 28" and inserting in place thereof the words, Friday, August 5.

The question being on the amendment.

Mr. Pillsbury of Manchester spoke in favor of the amendment.

On a *viva voce* vote, the amendment was not adopted.

Mr. Pillsbury of Manchester called for a division.

A division being had, 149 members having voted in the affirmative, and 151 members having voted in the negative, the amendment was not adopted.

Mr. Pickett of Keene offered the following amendment:

Amend said resolution by striking out the words and figures "Thursday, July 28" and inserting in place thereof the

words and figure, Friday, August 5, and by striking out the hour "5:00 o'clock" and inserting in place thereof the hour, 6:00 o'clock.

The question being on the amendment.

(Discussion ensued)

Messrs. Pickett of Keene, Pillsbury of Manchester, Scamman of Stratham, Geisel of Manchester, Angus of Claremont, Sheridan of Berlin, Corey of Manchester and Benson of Conway, and Mesdames Brungot of Berlin and Dondero of Portsmouth, spoke in favor of the amendment.

Mrs. DeLude of Unity and Messrs. Brown of Loudon, Jones of Lebanon and Clarke of Canaan spoke against the amendment.

Mr. Tirrell of Surry moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote, the previous question was ordered.

The question being on the amendment.

Mr. Pillsbury of Manchester called for a division.

A division being had, 182 members having voted in the affirmative, and 121 members having voted in the negative, the amendment was adopted.

Mr. Spaulding of Hudson offered the following amendment:

Amend said resolution by adding at the end thereof the words, Eastern Standard Daylight Time.

The question being on the amendment.

Messrs. Spaulding of Hudson and Pillsbury of Manchester, and Mrs. Brungot of Berlin spoke in favor of the amendment.

On a *viva voce* vote, the amendment was adopted.

The question being on the resolution as amended, as follows:

*Resolved, By the House of Representatives, the Senate concurring.*

*That* the present session of the Legislature be brought to final adjournment on Friday, August 5, next, at 6:00 o'clock in the afternoon, Eastern Standard Daylight Time, and be it further

*Resolved, That* on that date all reports, bills and joint resolutions, with the exception of those such as have been referred to the Legislative Council, Judicial Council and the next legislature, be indefinitely postponed.



On a *viva voce* vote, the concurrent resolution as amended was adopted and sent to the Senate for concurrence.

### Committee Reports

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 115, An Act amending Chapter 17, Section 18 of the Revised Laws of 1942 relating to certificates required in committing a patient to the state hospital, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the title of said bill by striking out the following: "amending chapter 17, section 18 of the Revised Laws of 1942" so that said title as amended shall read as follows:

An Act relating to certificates required in committing a patient to the state hospital.

Amend section 1 of said bill by striking out the first four lines and inserting in place thereof the following:

1. *Committal to State Hospital.* Amend section 18 of chapter 17 of the Revised Laws (section 21, chapter 135, RSA) by inserting after the word "court" in the seventh line the words, or a chief or deputy chief of police, so that said section as amended shall read as follows: 18. *Physicians' Certificates.*

Further amend said section 1 by striking out the word "lunacy" and inserting in place thereof the words, mental health.

On motion of Mr. Willis of Salem, the amendments proposed by the Committee on Engrossed Bills were adopted.

The bill was then sent to the Senate for concurrence in the amendment.

### Report of Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 440, An Act relative to the Laconia State School, having considered the same, reported the same with the following recommendation:

That the House recede from its position of non-concur-

rence in the amendments to said bill as adopted by the Senate and concur in said amendments and further recommend that the House and the Senate concur in the adoption of the following amendment to the amendments adopted by the Senate:

Amend chapter 129 of the Revised Laws as inserted by section 1 of said bill by inserting at the end thereof the following new section:

22. *Limitation.* Committal to and admittance into the Laconia State School shall be only in accordance with the provisions of this chapter.

EDWARD BLACK,  
GEORGE LANG,  
LAURENCE M. PICKETT,  
*Conferees on the Part of the House.*

E. C. FERGUSON,  
NORMAN A. PACKARD,  
*Conferees on the Part of the Senate.*

On motion of Mr. Black of Bennington, the report of the Committee of Conference was agreed to.

### Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 540, An Act authorizing the Merrimack Village District to issue bonds or notes, reported the same with the following recommendations:

That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendments and that the following amendments be adopted:

Amend the title of said bill by adding at the end thereof the words, and relative to appeals before municipal courts, so that said title as amended shall read as follows: An Act authorizing the Merrimack Village District to issue bonds or notes and relative to appeals before municipal courts.

Amend said bill by inserting after section 3 the following new section:

4. *Appeals.* Amend section 5 of chapter 425 of the Revised Laws (section 4, chapter 599, RSA) by striking out the words "shall add to the costs fees for the copies sent to the clerk, fifty cents for the clerk's certificate and fifty cents for recording it," in the second and third lines and by striking out

the words "with such increased costs" in the fourth and fifth lines so that said section as amended shall read as follows: 5. *Enforcing Original Sentence.* The justice shall record such certificate, and he shall issue a mittimus or other process to carry into effect the original sentence.

Further amend the bill by renumbering sections 4 and 5 to read 5 and 6.

ARCHIBALD H. MATTHEWS,  
J. WESLEY COLBURN,

*Conferees on the Part of the Senate.*

HERBERT W. RAINIE,  
SAMUEL P. HADLEY,  
LAURENCE M. PICKETT,

*Conferees on the Part of the House.*

On motion of Mr. Rainie of Concord, the report of the Committee of Conference was agreed to.

### **Committee of Conference Report**

The Committee of Conference, to whom was referred Senate Bill No. 126, An Act relative to mileage allowances for legislative officers and employees, having considered the same, report the same with the following recommendation:

That the Senate recede from its position of non-concurrence, that the House recede from its position in adopting its amendments and that the following amendments be adopted:

Amend the title of the bill by adding at the end thereof the words, and establishing a new apportionment for the assessment of public taxes, so that said title as amended shall read as follows:

An Act relative to mileage allowances for legislative officers and employees and establishing a new apportionment for the assessment of public taxes.

Amend the bill by inserting after section 1 the following new sections:

2. *Apportionment.* That of every thousand dollars of public taxes hereafter to be raised, the proportion which each town and place shall pay, and for which the treasurer of the state is hereby authorized to issue his warrant, shall be as follows, to wit:

**Rockingham County, \$151.94**

Atkinson, one dollar and three cents .....	\$1.03
Auburn, one dollar and forty-eight cents .....	1.48
Brentwood, one dollar and two cents .....	1.02
Candia, one dollar and thirty-eight cents .....	1.38
Chester, one dollar and thirty-three cents .....	1.33
Danville, eighty cents .....	0.80
Deerfield, one dollar and thirty-eight cents .....	1.38
Derry, eight dollars and ninety-five cents .....	8.95
East Kingston, seventy cents .....	0.70
Epping, one dollar and ninety-two cents .....	1.92
Exeter, twelve dollars and forty cents .....	12.40
Fremont, eighty-eight cents .....	0.88
Greenland, one dollar and forty-eight cents .....	1.48
Hampstead, one dollar and ninety-one cents .....	1.91
Hampton, fourteen dollars and seventy-one cents ....	14.71
Hampton Falls, one dollar and fifty-eight cents ....	1.58
Kensington, seventy-nine cents .....	0.79
Kingston, two dollars and forty-two cents .....	2.42
Londonderry, two dollars and seventy-two cents ....	2.72
New Castle, one dollar and ninety-two cents .....	1.92
Newfields, sixty-three cents .....	0.63
Newington, two dollars and thirty-three cents ....	2.33
Newmarket, four dollars and six cents .....	4.06
Newton, one dollar and thirty-nine cents .....	1.39
North Hampton, four dollars and ten cents .....	4.10
Northwood, two dollars and six cents .....	2.06
Nottingham, one dollar and five cents .....	1.05
Plaistow, three dollars and forty cents .....	3.40
Portsmouth, forty-five dollars and thirty-six cents ..	45.36
Raymond, one dollar and ninety-four cents .....	1.94
Rye, seven dollars and twelve cents .....	7.12
Salem, eight dollars and seventy-eight cents .....	8.78
Sandown, eighty-four cents .....	0.84
Seabrook, three dollars and forty-four cents .....	3.44
South Hampton, fifty-three cents .....	0.53
Stratham, one dollar and forty-four cents .....	1.44
Windham, two dollars and sixty-seven cents .....	2.67

**Strafford County, \$83.79**

Barrington, one dollar and forty-four cents .....	\$1.44
Dover, twenty-eight dollars and fifty-five cents ....	28.55

Durham, four dollars and fifty-eight cents .....	4.58
Farmington, three dollars and forty-seven cents ....	3.47
Lee, seventy-nine cents .....	0.79
Madbury, seventy-nine cents .....	0.79
Middleton, nineteen cents .....	0.19
Milton, two dollars and thirty-six cents .....	2.36
New Durham, one dollar and twenty-three cents ....	1.23
Rochester, twenty-three dollars and forty-two cents ..	23.42
Rollinsford, two dollars and eighty-nine cents .....	2.89
Somersworth, twelve dollars and sixty-three cents ..	12.63
Strafford, one dollar and forty-five cents .....	1.45

#### Belknap County, \$60.72

Alton, four dollars and six cents .....	\$4.06
Barnstead, one dollar and thirty-five cents .....	1.35
Belmont, two dollars and two cents .....	2.02
Center Harbor, one dollar and twenty-eight cents ...	1.28
Gilford, five dollars and nineteen cents .....	5.19
Gilmanton, one dollar and sixty-four cents .....	1.64
Laconia, thirty-one dollars and thirty-eight cents ....	31.38
Meredith, six dollars and thirty-two cents .....	6.32
New Hampton, two dollars and two cents .....	2.02
Sanbornton, one dollar and fifty-seven cents .....	1.57
Tilton, three dollars and eighty-nine cents .....	3.89

#### Carroll County, \$39.99

Albany, forty-five cents .....	\$0.45
Bartlett, one dollar and seventy-six cents .....	1.76
Brookfield, fifty-six cents .....	0.56
Chatham, twenty-six cents .....	0.26
Conway, eight dollars and twenty-two cents .....	8.22
Eaton, thirty cents .....	0.30
Effingham, seventy-three cents .....	0.73
Freedom, one dollar and eleven cents .....	1.11
Hart's Location, two cents .....	0.02
Jackson, one dollar and fourteen cents .....	1.14
Madison, one dollar and twenty-five cents .....	1.25
Moultonborough, four dollars and thirty-eight cents .	4.38
Ossipee, three dollars and three cents .....	3.03
Sandwich, two dollars and two cents .....	2.02
Tamworth, one dollar and ninety-one cents .....	1.91



Tuftonboro, three dollars and twenty-three cents . . . .	3.23
Wakefield, two dollars and fifty-six cents . . . . .	2.56
Wolfeboro, seven dollars and six cents . . . . .	7.06

**Merrimack County, \$101.17**

Allenstown, two dollars and thirteen cents . . . . .	\$2.13
Andover, two dollars and twenty-three cents . . . . .	2.23
Boscawen, two dollars and one cent . . . . .	2.01
Bow, two dollars and ninety-one cents . . . . .	2.91
Bradford, one dollar and thirty cents . . . . .	1.30
Canterbury, seventy-seven cents . . . . .	0.77
Chichester, one dollar and one cent . . . . .	1.01
Concord, forty-three dollars and seventy-five cents . .	43.75
Danbury, forty-eight cents . . . . .	0.48
Dunbarton, ninety cents . . . . .	0.90
Epsom, one dollar and twenty-two cents . . . . .	1.22
Franklin, ten dollars and fifty-five cents . . . . .	10.55
Henniker, two dollars and thirty-one cents . . . . .	2.31
Hill, seventy-seven cents . . . . .	0.77
Hooksett, three dollars and ninety-five cents . . . . .	3.95
Hopkinton, three dollars and ninety-seven cents . . . .	3.97
Loudon, one dollar and twenty-two cents . . . . .	1.22
Newbury, two dollars and two cents . . . . .	2.02
New London, four dollars and sixteen cents . . . . .	4.16
Northfield, one dollar and sixty-nine cents . . . . .	1.69
Pembroke, three dollars and seventy-three cents . . . .	3.73
Pittsfield, three dollars and two cents . . . . .	3.02
Salisbury, sixty-three cents . . . . .	0.63
Sutton, one dollar and eighteen cents . . . . .	1.18
Warner, one dollar and eighty-seven cents . . . . .	1.87
Webster, seventy-eight cents . . . . .	0.78
Wilmot, sixty-one cents . . . . .	0.61

**Hillsborough County, \$270.32**

Amherst, three dollars and forty-five cents . . . . .	\$3.45
Antrim, one dollar and ninety-five cents . . . . .	1.95
Bedford, five dollars and two cents . . . . .	5.02
Bennington, one dollar and thirty-four cents . . . . .	1.34
Brookline, one dollar and four cents . . . . .	1.04
Deering, seventy cents . . . . .	0.70
Francestown, one dollar and twenty-three cents . . . .	1.23
Goffstown, seven dollars and seventy-one cents . . . .	7.71

Greenfield, one dollar and seventeen cents .....	1.17
Greenville, one dollar and fifty-five cents .....	1.55
Hancock, one dollar and eighty-three cents .....	1.83
Hillsborough, three dollars and fifty-two cents .....	3.52
Hollis, two dollars and twenty-four cents .....	2.24
Hudson, five dollars and thirty-four cents .....	5.34
Litchfield, seventy-one cents .....	0.71
Lyndeborough, seventy-eight cents .....	0.78
Manchester, one hundred thirty-eight dollars and ninety-five cents .....	138.95
Mason, fifty-two cents .....	0.52
Merrimack, three dollars and twenty-one cents .....	3.21
Milford, seven dollars and forty-three cents .....	7.43
Mont Vernon, eighty-one cents .....	0.81
Nashua, fifty-eight dollars and fifty-one cents .....	58.51
New Boston, one dollar and forty-seven cents .....	1.47
New Ipswich, one dollar and ninety-six cents .....	1.96
Pelham, two dollars and twenty-five cents .....	2.25
Peterborough, eight dollars and fifty-one cents .....	8.51
Sharon, thirty cents .....	0.30
Temple, seventy-five cents .....	0.75
Weare, one dollar and eighty-five cents .....	1.85
Wilton, four dollars and eleven cents .....	4.11
Windsor, eleven cents .....	0.11

### Cheshire County, \$81.29

Alstead, one dollar and twenty-nine cents .....	\$1.29
Chesterfield, two dollars and ninety-four cents .....	2.94
Dublin, two dollars and twenty-six cents .....	2.26
Fitzwilliam, one dollar and ninety-nine cents .....	1.99
Gilsum, forty-one cents .....	0.41
Harrisville, one dollar and seventy-one cents .....	1.71
Hinsdale, four dollars and thirty-three cents .....	4.33
Jaffrey, six dollars and five cents .....	6.05
Keene, thirty-five dollars and fifty-three cents .....	35.53
Marlborough, two dollars and nine cents .....	2.09
Marlow, forty-five cents .....	0.45
Nelson, seventy-six cents .....	0.76
Richmond, forty cents .....	0.40
Rindge, two dollars and forty-two cents .....	2.42
Roxbury, nineteen cents .....	0.19

Stoddard, sixty-four cents .....	0.64
Sullivan, thirty-five cents .....	0.35
Surry, fifty-one cents .....	0.51
Swanzy, four dollars and twenty cents .....	4.20
Troy, two dollars and thirty cents .....	2.30
Walpole, five dollars and ninety-five cents .....	5.95
Westmoreland, ninety-five cents .....	0.95
Winchester, three dollars and fifty-seven cents .....	3.57

**Sullivan County, \$43.98**

Acworth, fifty-nine cents .....	\$0.59
Charlestown, three dollars and seven cents .....	3.07
Claremont, twenty-three dollars and forty-six cents .	23.46
Cornish, one dollar and thirty-seven cents .....	1.37
Croydon, forty-two cents .....	0.42
Goshen, forty cents .....	0.40
Grantham, twenty-nine cents .....	0.29
Langdon, forty-two cents .....	0.42
Lempster, thirty-four cents .....	0.34
Newport, six dollars and seventy-seven cents .....	6.77
Plainfield, one dollar and thirty-seven cents .....	1.37
Springfield, sixty-five cents .....	0.65
Sunapee, three dollars and eighty cents .....	3.80
Unity, forty-nine cents .....	0.49
Washington, fifty-four cents .....	0.54

**Grafton County, \$91.58**

Alexandria, sixty-two cents .....	\$0.62
Ashland, two dollars and seventy-one cents .....	2.71
Bath, eighty-nine cents .....	0.89
Benton, nine cents .....	0.09
Bethlehem, three dollars and fifty-two cents .....	3.52
Bridgewater, one dollar and twenty-one cents .....	1.21
Bristol, three dollars and thirty-eight cents .....	3.38
Campton, two dollars and thirty cents .....	2.30
Canaan, one dollar and sixty-five cents .....	1.65
Dorchester, sixteen cents .....	0.16
Easton, twenty-three cents .....	0.23
Ellsworth, six cents .....	0.06
Enfield, two dollars and fifty-seven cents .....	2.57
Franconia, one dollar and forty-one cents .....	1.41
Grafton, fifty-eight cents .....	0.58

Groton, thirty-eight cents .....	0.38
Hanover, eleven dollars and seventy-eight cents .....	11.78
Haverhill, four dollars and twenty-six cents .....	4.26
Hebron, sixty-seven cents .....	0.67
Holderness, two dollars and seventy-four cents .....	2.74
Landaff, twenty-eight cents .....	0.28
Lebanon, fourteen dollars and thirty-five cents .....	14.35
Lincoln, two dollars and sixty-one cents .....	2.61
Lisbon, three dollars and nine cents .....	3.09
Littleton, eight dollars and seventy-three cents .....	8.73
Lyman, thirty-one cents .....	0.31
Lyme, one dollar and eighteen cents .....	1.18
Monroe, seven dollars and eighty-two cents .....	7.82
Orange, seventeen cents .....	0.17
Orford, one dollar and eighteen cents .....	1.18
Piermont, one dollar and fourteen cents .....	1.14
Plymouth, four dollars and forty-eight cents .....	4.48
Rumney, one dollar and thirty-three cents .....	1.33
Thornton, eighty-nine cents .....	0.89
Warren, sixty-one cents .....	0.61
Waterville, nine cents .....	0.09
Wentworth, forty-two cents .....	0.42
Woodstock, one dollar and sixty-nine cents .....	1.69

#### Coos County, \$74.67

Berlin, thirty-seven dollars and twenty-three cents ..	\$37.23
Carroll, one dollar and fifty-one cents .....	1.51
Clarksville, twenty-six cents .....	0.26
Colebrook, two dollars and fifty-two cents .....	2.52
Columbia, forty-five cents .....	0.45
Dalton, sixty-one cents .....	0.61
Dummer, fifty-three cents .....	0.53
Errol, forty-seven cents .....	0.47
Gorham, ten dollars and five cents .....	10.05
Jefferson, one dollar and twelve cents .....	1.12
Lancaster, four dollars and eighty-eight cents .....	4.88
Milan, one dollar and four cents .....	1.04
Northumberland, five dollars and thirty cents .....	5.30
Pittsburg, one dollar and eighty-seven cents .....	1.87
Randolph, ninety-nine cents .....	0.99
Shelburne, ninety-three cents .....	0.93
Stark, forty cents .....	0.40

Stewartstown, eighty-three cents .....	0.83
Stratford, seventy-seven cents .....	0.77
Wentworth Location, nineteen cents .....	0.19
Whitefield, two dollars and seventy-two cents .....	2.72

### Unincorporated Places, \$0.55

Cambridge, four cents .....	\$0.04
Crawford's Purchase, one cent .....	0.01
Dixville, sixteen cents .....	0.16
Dix's Grant, one cent .....	0.01
Erving's Grant, one cent .....	0.01
Gilmanton and Atkinson Academy Grant, one cent ..	0.01
Green's Grant, three cents .....	0.03
Hale's Location, one cent .....	0.01
Millsfield, four cents .....	0.04
Odell, five cents .....	0.05
Sargent's Purchase, seven cents .....	0.07
Second College Grant, three cents .....	0.03
Success, four cents .....	0.04
Thompson and Meserve Purchase, four cents .....	0.04

3. *Limitation.* The same shall be the proportion of assessment of public taxes until a new apportionment shall be made and established, and the treasurer for the time being shall issue his warrant accordingly.

Amend section 2 of the bill by renumbering said section to read section 4, and by striking out said section and inserting in place thereof the following:

4. *Takes Effect.* The provisions of section 1 shall take effect as of January 5, 1955, and the remaining sections shall take effect upon the passage of this act.

RUTH F. MINER,  
W. DOUGLAS SCAMMAN,  
LAURENCE M. PICKETT,

*Conferees on the Part of the House.*

N. A. McMEEKIN,  
ROBERT ENGLISH,

*Conferees on the Part of the Senate.*

Reading of the report having commenced, on motion of Mr. Scamman of Stratham, the rules were suspended and further reading dispensed with.



On motion of the same member the report of the Committee of Conference was agreed to.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 204, An Act providing for the development of Concord Lake project.

Amend section 1 of said bill by striking out the last sentence and inserting in place thereof the following:

The members of the commission originally appointed shall hold office until August 1, 1957, at which time this commission shall be terminated. If any vacancy shall occur in the membership prior to such date it shall be filled by appointment of the governor with the advice and consent of the council for the remainder of the unexpired term. Commission members shall serve without pay except that they shall be reimbursed for their actual expenses while engaged in the business of the commission from the voluntary contributions hereinafter authorized to be solicited.

On motion of Mr. Hart of Laconia, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

### Presentation of Gavel

Mrs. Studley of Rochester rose to present the Speaker with a gavel.

*Mr. Speaker:*

It is a distinct privilege this morning to have the opportunity of making this special presentation to you.

You have served the House as its honored Speaker for the past seven months. You have filled your position not only with credit to yourself, but with honor to the State of New Hampshire. You have upheld the dignity appropriate to your office and also have had the necessary humor to lighten the tense moments.

This gavel, the symbol of your authority, is already of historic value, it being the one you used when you presided over the Joint Convention at the time when President Eisenhower made his memorable visit.

You have wielded your gavel with dignity and never in either an arbitrary or dictatorial manner. It is with pleasure that in behalf of the State of New Hampshire, as a token of deep appreciation, I present to you this gavel.

### Speaker's Remarks

The Chair is happy to receive this token of appreciation from the State of New Hampshire through the Representative from Rochester, Mrs. Studley. It is on such an occasion as this that the Speaker knows that his job is nearly at an end. Such a feeling brings home to him many thoughts of events which have transpired during his term of office.

While there have been occasions when he felt that he was too harsh or exacting with members, there have been many others when he felt he was too lenient. He is unhappy to think that the frequency of the former instances might outnumber the latter. Whichever way it is, the Speaker apologizes to one and all for any grief he may have brought them and thanks one and all for their kindness and support during the year rapidly coming to a close.

This gavel has been used on the historic occasion when the President visited with us, and although the Speaker prizes it very much, he is inclined to the thought that it should be cared for by some permanent society such as an historical group for the future generations to see. That is the likely destination of such a gift which has been made to me today. Thank you very much.

Mr. Angus of Claremont moved that the remarks of the member from Rochester, Mrs. Studley, and the Speaker, be printed in the Journal.

On a *viva voce* vote, the motion prevailed.

The Speaker declared a recess until 2:30 o'clock.

### After recess

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of

Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 517, An Act making appropriations for capital improvements and long term repairs for the state of New Hampshire.

Amend the first paragraph of section 1 of said bill by striking out the words, "The sum of one million one hundred fifty-three thousand, six hundred dollars," and inserting in place thereof the words, The sum of one million, three hundred thirty-five thousand, seven hundred ninety dollars, so that the first paragraph of section 1 shall read as follows:

The sum of one million, three hundred thirty-five thousand seven hundred ninety dollars is hereby appropriated for the purpose of capital improvements and long term repairs, which purpose includes such related improvements, facilities, equipment and furnishings as are necessary to complete the same. The estimated costs for the projects are as follows:

Amend paragraph III of section 1 of said bill by striking out the same and inserting in place thereof the following:

III. Industrial school:

Roads	\$4,000.00
Riverview cottage rewiring	1,500.00
Irrigation and drainage	7,640.00
Steam line extension	16,500.00

Boys cottage:

Construction	\$84,000.00
Furnishings	20,000.00
	<hr/> 104,000.00

Total	\$133,640.00
Less land fund	36,500.00
	<hr/>

Net appropriation	\$97,140.00
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Amend paragraph V of section 1 of said bill by striking out the same and inserting in place thereof the following:

V. Laconia state school:

*Rehabilitation of Floyd, Keyes, Quimby, McLane and Baker buildings	\$135,000.00
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Sprinklers for Felker, McLane, Baker, Keyes and Blood buildings	53,000.00
Complete and furnish new cottages:	
Furnishings	\$20,000.00
Fire protection	3,500.00
Roadways	7,500.00
	<hr/> 31,000.00
Repairs — Little Hall, Administration build- ing and fire boxes	3,600.00
Plot plan	1,500.00
Remodeling of space for defective delinquents	60,000.00
	<hr/>
Total	\$284,100.00

Amend that portion of House Bill No. 517 pertaining to the Laconia State School and providing \$60,000 for remodeling of space for defective delinquents by striking out the same and inserting in place thereof the following:

Erecting a one story building for defective delinquents \$90,000, furnishing above new building \$10,000, and changing the total appropriation for the Laconia State School from \$284,100 to \$324,100.

\* The amount of \$135,000.00 is to provide complete rehabilitation as specified. Of this amount at least \$75,000.00 shall be spent on improvements to toilets in these buildings.

Amend paragraph X of section 1 of said bill by striking out the same and inserting in place thereof the following:

X. Water Resources Board:

Long term repairs for Pawtuck- away and Mendum Ponds	\$18,000.00
Suncook River dams in the towns of Barnstead, Gil- manton and Alton	31,000.00
	<hr/>
Total	\$49,000.00

Amend paragraph XI of section 1 of said bill by striking out the same and inserting in place thereof the following:

XI. State House and grounds:		
1.	New office space for appropriations committee	\$2,500.00
2.	House of Representatives — Inside exit stairs, gallery to House floor, House to Hall of Flags	18,000.00
3.	State Senate, Fire exit, Senate gallery to Senate floor	3,500.00
4.	Stairway (2) Smoke towers, fire doors, elevator enclosures	20,000.00
5.	Ventilation for elevator motor rooms (2)	1,000.00
6.	Representatives' Hall:	
	(a) New floor frame, new floor — linoleum finish	\$24,750.00
	(b) Sprinklers under new floor	4,500.00
		<hr/> 29,250.00
7.	Sprinklers — waste paper room, State House Basement	500.00
8.	Strengthen corridor floors — 1st floor, State House	3,500.00
9.	Structural repairs — State House Dome	1,800.00
10.	New elevator motors and controls, State House	40,000.00
11.	Pointing and steam cleaning masonry — State House	32,000.00
		<hr/>
	Total	\$152,050.00

Amend the total of section 1 of the bill by striking out the figures "\$1,153,600" and inserting in place thereof the figures, \$1,335,790.00.



Amend section 6 of said bill by striking out the words, "one hundred fifty-three thousand, six hundred" and inserting in place thereof the words, three hundred thirty-five thousand, seven hundred and ninety, so that said section as amended shall read as follows:

6. *Borrowing Power.* To provide funds for the appropriations made in section 1 hereof, the state treasurer is hereby authorized, under the direction of the governor and council, to borrow upon the credit of the state not exceeding the sum of one million, three hundred thirty-five thousand, seven hundred ninety dollars; to provide funds for the appropriations made by section 2 hereof not exceeding the sum of three hundred seventy-one thousand four hundred fifty dollars; and to provide funds for the appropriations made by section 3 hereof the sum of not exceeding two hundred fifty-five thousand dollars and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire. The governor and council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturities, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the governor and shall be deemed a pledge of the faith and credit of the state.

Amend subsection (1) of section 13 of said bill by striking out the same and inserting in place thereof the following: (1) Not exceeding the sum of one million three hundred thirty-five thousand, seven hundred ninety dollars; for borrowing to provide funds for the purposes of section 1;

Reading of the amendment having commenced, on motion of Mr. Scamman of Stratham, the rules were suspended to dispense with further reading.

Mr. Scamman of Stratham moved that the House non-concur in the amendments sent down from the Honorable Senate and asks that a Committee of Conference be appointed.

On a *viva voce* vote, the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Messrs. Scamman of Stratham, Pickett of Keene and Hodgdon of Tuftonboro.

### Report of Committee on Engrossed Bills

Mrs. Hundley of Portsmouth, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House bills:

House Bill No. 328, An Act to change the name of the board of nurse examiners and to increase the fees for nurse registration.

House Bill No. 223, An Act to simplify requirements for absentee voting.

House Bill No. 94, An Act relative to the taking of oysters, lobsters, crabs and clams.

Senate Bill No. 43, An Act relative to flag-bearing battalions of the New Hampshire national guard.

Senate Bill No. 83, An Act relative to Colby Junior College Highway and Sutton road.

Senate Bill No. 122, An Act to lay out and construct a service road connecting with the Eastern New Hampshire Turnpike.

House Bill No. 410, An Act relative to the use and display of the state flag.

Senate Bill No. 13, An Act relating to re-assessment procedures.

Senate Bill No. 31, An Act relative to carrying weapons.

Senate Bill No. 86, An Act relative to expenses of members of commission on interstate cooperation.

House Bill No. 464, An Act relating to the number of lives covered by group life insurance.

Senate Joint Resolution No. 5, Joint Resolution in favor of Louis E. Clement and others.

House Bill No. 536, An Act modifying the employees' retirement system of the state of New Hampshire and correlating its benefits with federal old-age and survivors' insurance benefits.

The report was accepted.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 123, An Act providing for the election of county commissioners from the commissioner districts of Hillsborough county, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and recommended that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first two lines and inserting in place thereof the following:

1. *Hillsborough County.* Amend section 1 of chapter 45 of the Revised Laws (section 1, chapter 64, RSA) as amended by section 1, chapter 261, Laws of 1955 by striking out said section

Further amend said section 1 by striking out the words "in the county" in the tenth line and inserting in place thereof the words, in the counties of Grafton and

Amend section 3 of said bill by striking out the first two lines and inserting in place thereof the following:

3. *Qualifications.* Amend section 2 of chapter 45, Revised Laws (section 2, chapter 64, RSA) as amended by section 3, chapter 261, Laws of 1955, by striking out said section and inserting in

Further amend said section 3 by striking out the words "in the county of" in the seventh line and inserting in place thereof the words, the counties of Grafton and

Amend section 4 of said bill by striking out the words "except in the county of" in the seventh line and inserting in place thereof the words, except in the counties of Grafton and

On motion of Mr. Willey of Campton, the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was sent to the Secretary of State to be engrossed.

### **Committee of Conference Report**

The Committee of Conference, to whom was referred House Bill No. 271, An Act to equalize educational opportunities and to improve the public elementary and high schools of New Hampshire, having considered the same, report the same with the following recommendations:

That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendments and that the following amendments be adopted:

Amend paragraph a of section 10 of chapter 140 of the Revised Laws as inserted by section 1 of the bill by striking out the words "As may be required to carry out the purposes

of this act and to equitably distribute sums appropriated for foundation aid, the local effort shall be subject to adjustment annually by the state board of education, prior to the computation of foundation aid" in the sixth, seventh, eighth, ninth, and tenth lines so that said paragraph as amended shall read as follows:

a. *Foundation Aid.* To more nearly provide equal public school educational opportunity throughout the state, each school district qualifying therefor shall receive annually an amount equal to the remaining costs of the required programs of public elementary and high school education over and above the proceeds of a tax of fourteen dollars per thousand dollars of equalized valuation (hereinafter called the "Local Effort") of each district. For the purpose of this act the cost of the required programs shall be two hundred dollars annually for each elementary school pupil and three hundred dollars annually for each high school pupil in average daily membership in approved public schools. If a district receives from local taxation for school purposes during the fiscal year previous to the year of computation of foundation aid a sum less than the amount of the local effort required of that district, its foundation aid shall be reduced by an amount equal to the difference between the local effort and the amount received from local taxation for school purposes.

Amend paragraph b of section 10 of chapter 140 of the Revised Laws as inserted by section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

b. *Time of Computation.* Before June first in each year the state board of education shall cause to be computed the amount of foundation aid to be paid to eligible school districts in the succeeding fiscal year. The computation shall be based upon the most recently available equalized valuation of each school district and the average daily membership in approved public schools in each school district for the preceding year. Whenever it shall appear or be made to appear to the tax commission that circumstances have so changed in any school district from one year to another that the use of the most recently available equalized valuation is unfair, unjust or inequitable, the tax commission shall determine what changes or modifications shall be made in the equalized valuation of such district.

The tax commission shall certify such changed equalized valuation to the state board of education by May first. The state board of education shall use such changed equalized valuations in computing the foundation aid to which such district is entitled.

Amend section 11 of chapter 140 of the Revised Laws as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

11. *Allocation and Proration of Funds.* If in any year the amount appropriated for distribution as foundation aid shall be insufficient to distribute foundation aid in accordance with the provisions of section 10-a, the state board of education, except as hereinafter provided, shall reduce by proration the amount of foundation aid to be paid to each school district qualifying therefor. Provided that in any school district where the latest equalized valuation per pupil is less than \$10,000 the state board shall not reduce by proration the amount of foundation aid.

Further amend the bill by inserting after section 2 a new section to read as follows:

3. *Study of Financial Ability.* The state board of education and the state tax commission shall study, examine, investigate and analyze all sources of revenue of the several units of local government in the state for the purpose of determining the financial ability of each community to support and maintain its schools and the fairness and equality in granting and distribution of any aid for schools from the state, so that all such communities may be treated as fairly and equitably as may be, and make a report of their findings and recommendations to the 1957 session of the general court.

Further amend the bill by renumbering section 3 to read section 4.

N. A. McMEEKIN,  
BENJAMIN C. ADAMS,

*Conferees on the Part of the Senate.*

WILLIAM M. STEARNS,  
JOSEPH D. VAUGHAN,  
MARGARET B. DeLUDE,

*Conferees on the Part of the House.*



Mr. Pillsbury of Manchester moved that the rules be suspended to dispense with the reading of the report.

On a *viva voce* vote, the motion prevailed.

Mr. Vaughan of Newport explained the amendment.

On motion of the same member the report of the Committee of Conference was agreed to.

The Speaker declared a ten-minute recess.

(After Recess)

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 365, An Act relative to tax valuation of property acquired by the water resources board.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Water Resources: Tax.* Amend chapter 266 of the Revised Laws (chapter 481, RSA) by inserting after section 13 thereof the following new section: 13-a. *Pittsburg and Clarksville.* The provisions of section 13 shall not apply to property in the towns of Pittsburg and Clarksville but said towns shall be empowered to assess taxes against the corporation in the same manner as taxes are assessed against property of other owners in said towns. The state of New Hampshire hereby consents to taxation of said property of said corporation in the same manner as said other property in said towns.

2. *Takes Effect.* This act shall take effect April 1, 1955.

Amend the title of the bill by striking out said title and inserting in place thereof the following new title:

An Act relative to taxation in Pittsburg and Clarksville.

Mr. Pillsbury of Manchester moved that the House non-concur in the amendments sent down from the Honorable Senate and asked that a Committee of Conference be appointed.

The question being on the motion.

Mr. Spaulding of Hudson called for a division but subsequently withdrew his demand.

On a *viva voce* vote, the motion prevailed and the Speaker appointed as members of such committee on the part of the House, Messrs. Converse of Pittsburg and Pillsbury of Manchester, and Miss Bailey of Newport.

### Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 448, An Act relative to the appeal board in public construction contracts, providing for a deputy labor commissioner and relative to the board of arbitration, having considered the same, report the the same with the following recommendation:

That the House recede from its position of non-concurrence and concur in the adoption of the amendments to said bill as proposed by the Senate, and further recommend that the House and Senate concur in the adoption of the following amendment to the bill:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relative to the appeal board in public construction contracts, providing for a deputy labor commissioner, relative to the board of arbitration and increasing the salary of the deputy state treasurer.

GEORGE W. ANGUS,  
KENNETH C. BELL,  
ELSIE C. BAILEY,  
*Conferees on the Part of the House.*

OTTO G. KELLER,  
DEAN B. MERRILL,  
*Conferees on the Part of the Senate.*

On motion of Mr. Angus of Claremont, the report of the Committee of Conference was agreed to.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the report of the Committee of Conference on Senate Bill No. 126, An Act relative to mileage allowances for legislative officers and employees, and establishing a new apportionment for the assessment of public taxes.

The Speaker declared a recess until 4:30 o'clock.

(After Recess)

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Joint Resolution No. 34, Joint Resolution to provide for an investigation of the laws relating to tax exemption of real estate and personal property and to ascertain the total value of property in New Hampshire so exempted.

Amend the resolution by striking out the word "seven" in line one of the second paragraph and inserting in place thereof the word, three.

Further amend the resolution by striking out the word "five" in line two of said paragraph and inserting in place thereof the word, two, so that said paragraph will read as follows:

*Resolved*, That a joint committee to consist of three members of the House and two members of the Senate be appointed by the speaker of the House and by the president of the Senate, respectively, to investigate the matter of tax exempt property of every kind in this state, with particular reference to the laws governing and permitting such exemptions, and to determine whether or not exemptions so granted were, and are now, in strict compliance with the statutes; said committee to have full power and authority to require from the several departments, boards and commissions of the state government and the assessors of cities and the selectmen of towns, such information and assistance as may be necessary for the purposes of the committee, and, further, while the members of such committee shall serve without pay, the sum of not more than twenty-five hundred dollars shall be made available from funds not otherwise appropriated, for clerical assistance and to pay the actual and necessary expenses incurred by the committee in securing such information as may be required and in preparing a report of its findings and recommendations to the legislature of 1957.

On motion of Mr. Pillsbury of Manchester, the House con-

curred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 382, An Act relative to cooperative school districts.

Amend section 5 of said bill by striking out said section and inserting in place thereof the following:

5. *Powers of District to Borrow Money for Capital Improvements.* Amend paragraphs II and III of section 6 of chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by striking out said paragraphs and inserting in place thereof the following:

II. Each cooperative school district shall have the power to borrow money and issue its notes or bonds in conformity with the provisions of chapter 72 of the Revised Laws as amended, provided, however, when it shall appear to the board of investigation as established in the Municipal Finance Act, Revised Laws, chapter 72, as amended, that such action is necessary or desirable, indebtedness may be incurred to an amount not to exceed six percent of their assessed valuation as last equalized by the state tax commission.

III. Whenever only part of the educational facilities of a local school district are incorporated into a cooperative school district, such local district shall continue in existence and function as previously. The cooperative school district shall assume only those outstanding debts and obligations of the local school district which pertain to the property acquired by the cooperative school district for use by the cooperative school district. In such case no cooperative school district shall for elementary school purposes incur debt to an amount exceeding one and one half percent, and for secondary school purposes to an amount exceeding three percent of the total assessed value of such district as last equalized by the tax commission. In the event that it shall appear necessary or desirable to the board of investigation provided for in the

Municipal Finance Act, chapter 72, Revised Laws, upon application properly made to it, that an elementary or a secondary cooperative school district incur indebtedness greater than the aforesaid one and one-half percent or three percent, as the case may be, such elementary school district or secondary school cooperative district may incur such indebtedness, as may be authorized by said board of investigation, but not in excess of six percent of said valuation as hereinbefore set forth. No cooperative school district shall incur indebtedness if it subjects the taxable property of any school district forming a part thereof to debt, when added to the debt of such school district, of more than six percent of the value of such taxable property.

Amend section 14 of said bill by striking out the same and inserting in place thereof the following:

14. *Additional Aid.* Amend chapter 199, Laws of 1947, as inserted by chapter 213, Laws of 1951 (chapter 195, RSA) by inserting after section 15 the following new section: 15-a. *Building Aid.* Except as hereinafter provided, for the purpose of receiving state building aid, or other similar aid toward school buildings, which may hereafter be provided, the amount of such aid for cooperative school districts shall apply only to those cooperative or union school districts which were formed from two or more districts from two or more towns. A cooperative school district formed from two or more school districts within one town shall be deemed to be a school district and not a cooperative school district in so far as receipt of state building or other similar aid toward school buildings is concerned. The limitations of this section relative to cooperative school districts formed from districts within one town shall apply only to those which are so organized after July 1, 1955. Such cooperative school district organized prior to July 1, 1955, shall be deemed a cooperative school district for the purpose of receiving such building aid.

Amend said bill by inserting after section 14 the following new section:

15. *Goshen-Lempster Cooperative School District.* The present capital reserve established by the pre-existing school district of Lempster by vote of March 14, 1950, shall be used by the Goshen-Lempster cooperative school district for the construction of the new central school in addition to the



amount already appropriated and this capital reserve shall be used as a credit against the cooperative school assessment to be raised by the pre-existing district of Lempster for a period of five years from the date of the passage of this act.

Further amend said bill by renumbering section 15 to read section 16.

Mr. Vaughan of Newport moved that the rules be suspended to dispense with the reading of the amendment.

On a *viva voce* vote, the motion prevailed.

On motion of Mr. Vaughan of Newport, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

### Report of Committee of Conference

The Committee of Conference, to whom was referred House Bill No. 420, An Act relative to Totten Trusts, having considered the same, report the same with the following recommendation:

That the House recede from its position of non-concurrence in the Senate amendments and concur with the Senate in adopting said amendments.

FRANCIS F. FAULKNER,  
NELLE L. HOLMES,  
GEORGE S. PAPPAGIANIS,  
*Conferees on the Part of the House.*  
ARCHIBALD H. MATTHEWS,  
OTTO G. KELLER,  
*Conferees on the Part of the Senate.*

On motion of Mr. Hart of Laconia, the report of the Committee of Conference was adopted.

The Speaker declared a recess.

(After recess)

### Introduction of a Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

By the Committee on Rules, House Joint Resolution No. 64 (Mr. Scamman of Stratham), Joint Resolution in favor of Lloyd E. Fogg and others.

Mr. Scamman of Stratham moved that the rules be suspended to dispense with the printing and reference to committee and that the joint resolution be read a third time in full.

On a *viva voce* vote, the joint resolution was read a third time and passed and sent to the Senate for concurrence.

The Speaker declared a recess until 8:00 o'clock.

(After recess)

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to accede to the request for a Committee of Conference on House Bill No. 365, An Act relative to taxation in Pittsburg and Clarksville, and the President appointed as members of such a committee on the part of the Senate, Senator Caron of District No. 17 and Senator O'Brien of District No. 2.

The message further announced that the Senate has voted to adopt the report of the Committee of Conference on the following entitled bills:

House Bill No. 448, An Act relative to the appeal board in public construction contracts, providing for a deputy labor commissioner, and relative to board of arbitration.

House Bill No. 540, An Act authorizing the Merrimack Village District to issue bonds or notes, and relative to appeals and appearance before municipal courts.

House Bill No. 420, An Act relative to trust deposits in banks.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill and Senate joint resolution:

Senate Bill No. 114, An Act relative to borrowing by school districts.

Senate Joint Resolution No. 8, Joint Resolution in favor of Harry L. Hurlbert.

The message further announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 115, An Act amending chapter 17, section 18 of the Revised Laws of 1942 relating to certificates required in committing a patient to the state hospital.

The message further announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill:

Senate Bill No. 2, An Act relative to reimbursement to towns and cities for land taken by the United States for flood control.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bills sent up from the House of Representatives:

House Bill No. 125, An Act repealing a certain appropriation for the so-called children's study home.

House Bill No. 257, An Act relative to the change of designation of the deputy director of recreation and to the salary of said office.

House Bill No. 345, An Act relating to absentee voting at biennial elections in Berlin.

House Bill No. 484, An Act relative to the membership of the council in the city of Keene.

The message also announced that the Senate refused to concur with the House of Representatives in the passage of the following entitled bill and joint resolution, sent up from the House of Representatives:

House Bill No. 205, An Act relating to the authority of the surveyor of the city of Manchester.

House Joint Resolution No. 63, Joint Resolution relative to mileage allowance for Alonzo P. Weeks and others.

### **Report of Committee of Conference**

House Bill No. 365, An Act relative to taxation in Pittsburg and Clarksville, having considered the same, report the same with the following recommendation:

That the Senate recede from its position in adopting its amendment, that the House recede from its position in adopting its amendment, and that the following amendment be adopted:

Amend section 1 of the bill by striking out said section and inserting in place thereof the following:

1. *Water Resources.* Amend section 13, chapter 266, Revised Laws (section 14, chapter 481, RSA) by striking out said section and inserting in place thereof the following: 13. *Tax Exemption.* All property and rights acquired by the corporation shall be exempt from all taxation; but the corporation shall make payments, on or before the first day of December in each year, to each town in which property or rights acquired by the corporation are located. Such sums shall be based on the tax rate then current in each town or city and on the average assessed valuation for a period of five years prior to the acquisition by the corporation, provided, that when a town or city wherein corporation land is located shall have made a general revaluation of property for tax assessment purposes then the new values shall be used for the determination of the sums as would have been assessed against said property and rights in such town or city if the same had been included in the tax invoice for such year. Betterments, changes in land use or new structures are exempted and shall not be used for the determination of such sums to be paid in lieu of taxes. Provided, however, that the provisions of this section shall not apply to the dam and any appurtenances thereto owned by said corporation and located in the towns of Pittsburg and Clarks-ville, and there shall be paid annually to said towns the sum of \$12,500 in lieu of taxes, said sum to be apportioned between said towns in the same ratio that the value of that portion of said dam and any appurtenances thereto located in each town bears to the total value of said dam and any appurtenances thereto as determined by the tax assessors of said towns.

Further amend the bill by inserting after section 1 the following new section:

2. *Appropriation.* For the purposes of this act there is hereby appropriated for the fiscal year ending June 30, 1956, the sum of \$12,500, and a like sum for the fiscal year ending June 30, 1957. The governor is hereby authorized to draw his warrants for the sums hereby appropriated out of any money in the treasury not otherwise appropriated.

Further amend the bill by renumbering section 2 to read section 3, and by inserting after the word "effect" the words, as of, so that said section as amended shall read as follows:

3. *Takes Effect.* This act shall take effect as of April 1, 1955.

HARVEY H. CONVERSE,  
ELSIE C. BAILEY,  
JOHN PILLSBURY,

*Conferees on the Part of the House.*

DANIEL A. O'BRIEN,  
MARYE WALSH CARON,

*Conferees on the Part of the Senate.*

On motion of Mr. Converse of Pittsburg, the report of the Committee of Conference was agreed to.

### Committee of Conference Report

The Committee of Conference, to whom was referred House Bill No. 517, An Act making appropriations for capital improvements and long term repairs for the state of New Hampshire, having considered the same, report the same with the following recommendations:

That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendments and that the following amendments be adopted:

Amend the first paragraph of section 1 of the bill by striking out said paragraph and inserting in place thereof the following:

1. *Appropriation.* The sum of one million, three hundred fifty three thousand, forty dollars is hereby appropriated for the purpose of capital improvements and long term repairs, which purpose includes such related improvements, facilities, equipment and furnishings as are necessary to complete the same. The estimated costs for the projects are as follows:

Amend paragraph III of section 1 of said bill by striking out the same and inserting in place thereof the following:

#### III. Industrial school:

Roads	\$4,000.00
Riverview cottage rewiring	1,500.00
Irrigation and drainage	7,640.00
Steam line extension	16,500.00



## Boys cottage:

Construction	\$84,000.00	
Furnishings	20,000.00	104,000.00
Total		\$133,640.00
Less land fund		36,500.00

Net appropriation	\$97,140.00
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Amend paragraph V of section 1 of said bill by striking out the same and inserting in place thereof the following:

## V. Laconia state school:

*Rehabilitation of Floyd, Keyes,		
Quimby, McLane and Baker buildings		135,000.00
Sprinklers for Felker, McLane,		
Baker, Keyes and Blood buildings		53,000.00
Complete and furnish new cottages:		
Furnishings	\$20,000.00	
Fire protection	3,500.00	
Roadways	7,500.00	
		31,000.00
Repairs — Little Hall, Administra-		
tion building and fire boxes		3,600.00
Plot plan		1,500.00
1 new building for defective,		
delinquent children		90,000.00
Furnishing thereof		10,000.00
Total		\$324,100.00

\* The amount of \$135,000 is to provide for complete rehabilitation of Laconia State School. A sufficient amount of this shall be used so that adequate sanitation facilities may be provided.

Amend paragraph X of section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

## X. Water Resources Board:

Long term repairs for Pawtuck-	
away and Mendum Ponds	\$18,000.00

Suncook River dams in the  
towns of Barnstead, Gil-  
manton and Alton

31,000.00

Total

\$49,000.00

Amend paragraph XI of section 1 of said bill by striking out said paragraph and inserting in place thereof the following:

XI. State House and Grounds:

1. New office space for appropriations committee 2,500.00
2. \*Representatives' Hall and Senate Chamber Fire Safety 20,000.00

\* Provided that before any plans are approved they must be approved by the Speaker of the House and President of the Senate for their respective chambers.

3. Stairway (2) Smoke Towers, fire doors, elevator enclosures 20,000.00
4. Ventilation for elevator motor rooms (2) 1,000.00
5. Sprinklers — waste paper room, State House basement 500.00
6. Strengthen corridor floors — 1st floor, state house 3,500.00
7. Structural repairs — state house dome 1,800.00
8. New elevator (1) — state house 48,000.00
9. Pointing and steam cleaning masonry — state house 32,000.00

Total

\$129,300.00

Amend the total of section 1 by striking out the figures "\$1,153,600.00" and inserting in place thereof the figures, \$1,353,040.00.

Amend section 2 of the bill by adding at the end thereof the following:

\* Spofford Lake Route 9A shall not become a dead end road.

Amend section 6 of said bill by striking out said section and inserting in place thereof the following:

6. *Borrowing Power.* To provide for the appropriations made in section 1 hereof, the state treasurer is hereby authorized, under the direction of the Governor and Council, to borrow upon the credit of the state not exceeding the sum of one million, three hundred fifty-three thousand and forty dollars (\$1,353,040.00); to provide funds for the appropriations made by section 2 hereof not exceeding the sum of three hundred seventy-one thousand four hundred fifty dollars; and to provide funds for the appropriations made by section 3 hereof the sum of not exceeding two hundred fifty-five thousand dollars and for said purposes may issue bonds and notes in the name and on behalf of the state of New Hampshire. The Governor and Council shall determine the form of such bonds or notes, their rate of interest, the dates when interest shall be paid, the dates of maturities, the places where principal and interest shall be paid and the time or times of issue. Such bonds or notes shall be signed by the treasurer and countersigned by the Governor and shall be deemed a pledge of the faith and credit of the state.

Amend subsection (1) of section 13 of said bill by striking out the same and inserting in place thereof the following: (1) Not exceeding the sum of one million, three hundred fifty-three thousand and forty dollars; for borrowing to provide funds for the purposes of section 1.

DEAN B. MERRILL,  
E. C. FERGUSON,

*Conferees on the Part of the Senate.*

W. DOUGLAS SCAMMAN,  
LAURENCE M. PICKETT,  
FORREST W. HODGDON,

*Conferees on the Part of the House.*

On motion of Mr. Scamman of Stratham the report of the Committee of Conference was adopted.

### Point of Information

Mr. Hart of Laconia and Mrs. Brungot of Berlin rose on a point of information.

### Report of Committee on Engrossed Bills

Mr. Ballentine of Laconia, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled Senate and House bills and Senate joint resolution:

House Bill No. 345, An Act relating to absentee voting at biennial elections in Berlin.

Senate Bill No. 113, An Act relative to the rate of tax on interest and dividends.

Senate Bill No. 131, An Act relative to weight of certain small combination vehicles and semi-trailers.

Senate Bill No. 133, An Act relating to the apportionment of expenses for municipalities in fighting forest fires and to class V road aid.

Senate Joint Resolution No. 8, Joint Resolution in favor of Harry L. Hurlbert.

Senate Bill No. 129, An Act relative to powers of the superior court on immunity of witnesses.

House Bill No. 204, An Act providing for the development of Concord Lake Project.

The report was accepted.

(Mr. Angus of Claremont in Chair)

Mr. Young of Pittsfield rose on a point of information.

(Speaker in the Chair)

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate has voted to adopt the Committee of Conference report on the following entitled bills:

House Bill No. 365, An Act relative to taxation in Pittsburg and Clarksville.

House Bill No. 517, An Act making appropriations for capital improvements and long term repairs for the state of New Hampshire.

The message also announced that the Senate had voted to concur with the House of Representatives in the passage of the following entitled bill, sent up from the House of Representatives:

House Bill No. 113, An Act providing for a study and establishment of recreational areas in the Lake Winnepesaukee region.

On motion of Mr. Willey of Campton the House adjourned from the morning session.

### Afternoon

The House was immediately called to order in the afternoon session.

Mrs. Millar of Claremont moved that when the House adjourns today it be to meet Friday morning at 11:00 o'clock.

On a *viva voce* vote, the motion prevailed.

On motion of Mrs. Millar of Claremont at 10:18 o'clock the House adjourned.

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FRIDAY, AUGUST 5, 1955

The House met at 11:00 o'clock.

Prayer was offered by the Chaplain.

Most gracious God, on Whom we have called for guidance and to Whom we have looked for wisdom during this session of our General Court, we return to Thee our heartfelt thanks for Thy interest and support in all we have done or attempted to do. We are grateful to Thee that it has been our privilege to labor with one another, in this endeavor to make better laws for our State, during the past months. If we have left undone the things we should have done, and have done the things we should not have done, we implore Thy forgiveness. Bless our State, her industries, her schools and institutions of learning, her social and religious interests. O God, endue with the spirit of wisdom, those to whom, in Thy Name, we have entrusted the authority of government, that there may be justice, peace and prosperity in our Commonwealth. Through Jesus Christ our Lord. Amen.

### Salute to the Flag

Governor Lane Dwinell led the convention in the salute to the flag.

### Leaves of Absence

Messrs. Dana of Laconia, Geisel of Manchester, Wadleigh of Milford and Estes of Rochester and Mrs. Bean of Webster



were granted leave of absence for the day on account of important business.

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House and Senate bills:

House Bill No. 529, An Act making appropriation for the expenses of certain departments of the state for the year ending June 30, 1956.

House Bill No. 530, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1957.

Senate Bill No. 57, An Act relative to the solicitation of bribes.

House Bill No. 257, An Act relative to the change of designation of the deputy director of recreation and to the salary of said office.

House Bill No. 540, An Act authorizing the Merrimack village district to issue bonds or notes, and relative to appeals before municipal courts.

House Bill No. 448, An Act relative to the appeal board in public construction contracts, providing for a deputy labor commissioner, relative to the board of arbitration and increasing the salary of the deputy state treasurer.

House Bill No. 450, An Act relative to non-resident fishing and hunting licenses, and relative to damage by bear and the taking of lobster.

House Bill No. 136, An Act relative to school building aid.  
The report was accepted.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred Senate Bill No. 119, An Act concerning investments by savings banks, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by striking out the first five lines and inserting in place thereof the following:

1. *Investments of Savings Banks; Limitations.* Amend paragraph I of section 3 of chapter 310 of the Revised Laws as inserted by chapter 195 of the Laws of 1953 (section 3, chapter 387, RSA) and as amended by section 18, chapter 214, Laws of 1955, by

The report was accepted.

On motion of Mr. Merrill of Exeter, the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was sent to the Senate for concurrence.

### Resolution

Mr. Holden of Hanover offered the following resolution:

*Whereas*, the members of the House of Representatives of the State of New Hampshire have enjoyed courtesies and privileges that have been generously provided by the Police Department of the City of Concord, now therefore be it

*Resolved*, that we, the members of the House of Representatives of the State of New Hampshire do extend our heartfelt appreciation and gratitude to Police Chief McIsaac and all the members of his department for the considerate and generous manner with which they have exercised their municipal functions, and be it further

*Resolved*, that a copy of these resolutions be transmitted to Police Chief McIsaac and to the members of his department.

On a *viva voce* vote the resolution was adopted.

Mr. Rogers of Laconia moved that the Committee of Conference appointed on House Bill No. 474, An Act relative to class I and II highways and assessment of damages, be discharged.

The question being on the motion.

On a *viva voce* vote, the motion prevailed.

Mr. Spaulding of Hudson moved that a second Committee of Conference be appointed.

The question being on the motion.

Mr. Pillsbury of Manchester moved that further consideration of House Bill No. 474 be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Pillsbury of Manchester, Rogers of Laconia and Faulkner of Keene spoke in favor of the motion.

Mr. Spaulding of Hudson and Mrs. DeLude of Unity spoke against the motion.

On a *viva voce* vote the motion was adopted.

Mr. Spaulding of Hudson demanded the yeas and nays and the roll was called with the following result:

### Yeas — 219

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Farwell, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Hadley, Goodwin, Abbott, Lang of Manchester, Pettigrew, Danforth, Mahony of Manchester, Pillsbury of Manchester, Robb, Hayes, Horan, Sullivan, Fitzgerald, Kean, Nolan, Smith of Manchester, Walsh, Callahan, Clancy, Ecker, Corey, Leclerc, Tessier, Delisle, Lavoie, Constant, Morris, Hurley, Lareau, Vaillancourt, Cannon, Donnelly, Peaslee of Merrimack, Deans, Falconer, Buckley, Cummings, Ramsdell, Saunders, Thibault of Nashua, Belcourt, Ayers of Nashua, Shea of Nashua, Chartrain, Dugas, Dutilly, Grandmaison, Dumais, Locke, Rice, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Thomas, Smith of Hinsdale, McCullough, Bennett, Brown of Keene, Coddington, Faulkner, Pickett, Carlton, Terrill, Lane, Bouvier, Lang of Troy, Ballam, Rhodes, Billings, Ingham, Thompson.

SULLIVAN COUNTY: Bascam, Frizzell, Angus, Bloomfield, Bissonett, Millar, Davis of Cornish, Reney, Roe, Vaughan of Newport, Pierce, Gamsby.

GRAFTON COUNTY: Ramsey, Pryor, Chamberlin of Bath, Plumer, Willey, Sanborn, Campion, Bradley, Larty, Sleeper, Chamberlain of Holderness, Adams, Ashley, Cole, Perley, Townsend, Collyer, Kelley, Martin, Bell, Huckins, Barney, Sawyer.

COOS COUNTY: Dussault, Russell, Sheridan, Christiansen, Fontaine, Gagnon, Simonds, Bushey, Converse, Stinson, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Persson, Tenney, Fogg, Bisbee, Clarke of Derry, Nickerson of East Kingston, Merrill, Jones of Fremont, Spollett, Parmenter, Mc-

Caffery, Labranche, Sewall, Cheney, Carter, Palmer, Barrett, Dondero, Hundley, Murch, Travis, Leary, Munz, Ingraham, Philbrick, Haigh, Willis (Anna), Willis (Howard), Pillsbury of Sandown, Felch, Robinson of South Hampton, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Felker, Webb, Crandall, Wentworth, Dustin, Studley, Clement of Rochester, Brown of Strafford.

BELKNAP COUNTY: Skinner, McAllister, Gardner of Gilford, Hart, Rogers, Simoneau, Tilton, Ballentine, Karagianis, Burbank, O'Shan, Varrell, Miner, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Benson, Downs, Roberts, Nickerson of Madison, Lamprey, Hodgdon, Ford.

MERRIMACK COUNTY: Baron, Ellsworth, Vaughn of Bow, Stevens, Davis of Concord, Shea of Concord, Lessels, Nelson of Concord, Corbett, Jewett, Rainie, Maxham, Walker, Mahoney of Concord, Nutter, Carpenter, Mason, DuDevoir, Mulaire, Davis of Hopkinton, Brown of Loudon, Gay of New London, Wilman, Ayer of Pittsfield, Young, Bigelow, Workman.

### Nays — 65

HILLSBOROUGH COUNTY: Wiggin, Herrick, Fortin, Spaulding, Soucy of Manchester, Ward 1, Betley, Healy of Manchester, Ward 6, Auger, Soucy of Manchester, Ward 12, Dion of Manchester, Lesmerises, Gamache, Maynard, Dionne of Nashua, Ryan, Jean, Langelier.

CHESHIRE COUNTY: Perry, Brown of Marlow, Sherwin.

SULLIVAN COUNTY: Nelson of Goshen, DeLude.

GRAFTON COUNTY: Clarke of Canaan, Holden.

COOS COUNTY: Fortier, Roy, Brungot, Rines, Alls, Hurlbert, Ferguson, Cornelius, Annis, Baker.

ROCKINGHAM COUNTY: Blair, Eastman of Exeter, Rathbone, Hunter, Battles, Pinkham, Payette, Scamman.

STRAFFORD COUNTY: Moher, Karkavelas, Pearson, Funkhouser, Littlehale, Chadbourn, Evans, Nadeau, St. Pierre, Maloomian, Letourneau, Cormier.

BELKNAP COUNTY: Morin.

CARROLL COUNTY: Remick, Weeks of Wolfeboro.

MERRIMACK COUNTY: Vogel, Ferrin, Cilley, Broadhurst, Burke, Kenney, Charland, Dempsey.

And the motion to indefinitely postpone prevailed.

### Personal Privilege

Mr. Spaulding of Hudson rose on a point of personal privilege.

### Reconsideration

Mr. Angus of Claremont moved that the House reconsider its vote whereby it voted to indefinitely postpone House Bill No. 474.

The question being on the motion.

On a *viva voce* vote the motion did not prevail.

### Personal Privilege

Messrs. Holden of Hanover, Karkavelas of Dover, Faulkner of Keene, and Spaulding of Hudson and Mrs. Brungot of Berlin rose on a point of personal privilege.

### Correspondence

The Speaker read the following letter:

*Hon. Charles Griffin, Speaker*

House of Representatives

Concord, New Hampshire

DEAR MR. SPEAKER:

As you are aware, federal regulations require that I relinquish my office as Representative to the General Court from Ward One, Dover before I can assume my new position as Postmaster.

I still have some official business to complete, both as a committee chairman as well as chairman of my county delegation. These will necessarily come after the expected adjournment of the 1955 session. Also, I do not as yet have a definite date from the Post Office Department as to when I will be sworn in as Postmaster.

For these reasons, I would respectfully ask that my resignation as Representative from Ward One, Dover be accepted to become effective when I officially take over my new position.

This may be a somewhat unusual request but I would be most appreciative if it could be granted.



I do want to take this last opportunity to say, that while I have made my share of complaints, my service in the General Court will remain as one of the most pleasant and rewarding experiences of my career. I shall be ever grateful for the opportunity afforded me to learn so much of the operations of both state and county government. Not the least of this service has been the opportunity to make so many fine friendships. These I shall cherish for the rest of my life.

I must also express my sincere thanks to the very loyal and cooperative members of my Military and Veterans' Affairs Committee. Their attention to their duties has been most helpful and the fine testimonial they tendered me was deeply appreciated. I am also grateful to both my city and county delegations for the kind resolutions presented me as well as their consideration in all my association with them.

To you, Mr. Speaker, may I also express my thanks for the confidence you placed in me by appointing me as committee chairman. It is a high honor which I shall long remember. To all the members and attaches who have been most helpful and whose many good wishes I have received since the notice of my appointment, my sincere gratitude.

I trust you will excuse the undue length of this letter. But I am sure that you realize that I write this letter with mixed emotions. I am very happy about my new position but I sincerely regret the necessity of this resignation.

In closing, may I wish you all well and express the hope that our association has meant as much to each of you as it has to me.

Sincerely yours,

RAYMOND H. CHASE

The letter of resignation was referred to the Committee on Elections.

### Resolution

Mr. Sawyer of Woodstock offered the following resolution:

*Whereas*, the members of the House of Representatives of the State of New Hampshire have enjoyed courtesies and privileges that have been generously provided by the Mayor of the City of Concord now therefore be it

*Resolved*, that we, the members of the House of Representatives of the State of New Hampshire do extend our

heartfelt appreciation and gratitude to the Mayor and all the members of his official family for the considerate and generous manner with which they have exercised their municipal functions and be it further

*Resolved*, that a copy of these resolutions be transmitted to the Mayor, Howe Anderson, and to the members of his official family.

On a *viva voce* vote the resolution was adopted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 76, An Act relating to Lake Winnepesaukee Scenic Highway.

Amend said bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Toll Road.* The commissioner of public works and highways, with the approval of governor and council, shall locate and construct a continuous highway from route 25 in Moultonborough, across Lake Winnepesaukee to Long Island, thence to Little Bear Island, thence to Cow Island, thence to Birch Island, thence to the mainland in Tuftonboro to route 109 in Tuftonboro and shall operate and maintain said highway as a toll road as hereinafter provided.

(a) Determine the location of the aforesaid toll road and fix the width of its right of way.

(b) Acquire in the name of the state by purchase or by exercise of the right of condemnation as provided by statute such lands, property, rights, easements and interests as may be deemed necessary for carrying out the provisions of this act.

(c) Designate the locations and establish, limit and control such points of ingress to and egress from the toll road as may be necessary or desirable to ensure the proper operation of the toll road and to prohibit ingress to or egress from the toll road at any point not so designated.

(d) Permit toll-free use of certain sections of the toll road if it is for the public good.

(e) Construct grade separations at intersections of the toll road with public roads and private ways, and change and adjust the lines and grades of such roads and ways so as to accommodate the same to the design of such grade separations and to the design of the toll road.

(f) Construct, operate and maintain the toll road within the compact areas of cities and towns.

(g) Grant permits or licenses to any corporation or person to place and maintain along, on, under or within the toll road ducts, pipes, pipelines, poles, wires or other structures, to be so located as not to be unsightly and not to interfere with the safe and convenient operation and maintenance of the toll road, and may contract with any such corporation or person for such permit or licenses on such terms and conditions as may be deemed necessary for carrying out the provisions of this act. The appearance, construction, maintenance and repairs of any such ducts, pipes, pipelines, poles, wires or other structures shall be subject to such directions and regulations as may be imposed.

(h) Establish a temporary turnpike engineering section for the period of design and construction of the toll road, assign permanent employees of the department of public works and highways to duties and positions in said section and employ such engineers and assistants as may be necessary on a temporary basis for said period of design and construction. The costs of said turnpike engineering section shall be a charge against the funds made available under the act.

(i) Enter into contractual relations on behalf of this state.

(j) Do and perform all such acts as are necessary for the public good.

(k) Cause periodic traffic and economic studies to be made of the operation of the aforesaid toll road.

(l) Make periodic studies of possible extensions or additions to said toll road.

(m) Employ such assistants, engineers or consulting services as may be necessary to carry out the provisions of paragraphs (k) and (l) of this section. The expense of the said studies shall be a charge upon the funds established under section 11 of this chapter and, upon approval by the legislature,

to extend said turnpike when recommendations of independent recognized consultants indicate that such extensions are economically feasible.

2. *Funds Provided.* A sum not exceeding one million four hundred thousand dollars (\$1,400,000) for the construction of the toll road described in section 6 of this chapter is hereby appropriated as hereinafter provided for the purpose of carrying into effect the provisions of this act.

3. *Borrowing Power.* The state treasurer is hereby authorized under the direction of the governor and council to borrow upon the credit of the state a sum not exceeding one million four hundred thousand dollars (\$1,400,000) for the purpose of carrying into effect the provisions of this act and for that purpose may issue bonds in the name and on behalf of the State of New Hampshire at a rate of interest to be determined by the governor and council.

The maturity dates of such bonds shall be determined by the governor and council but in no case shall they be later than thirty years from the date of issue and may be redeemable before maturity at the option of the governor and council at such price or prices and under such terms and conditions as may be fixed by the governor and council prior to the issuance of the bonds. Such bonds shall contain an express guarantee which shall be deemed a contract on the part of the state that tolls will be collected in accordance with the provisions of this act until the date of maturity of said bonds or until sufficient money shall have accumulated to pay said bonds and the interest thereon at or prior to dates of maturity. The bonds shall be in such form and such denominations as the governor and council shall determine, may be registerable as to both principal and interest, shall be countersigned by the governor, and shall be deemed a pledge of the full faith and credit of the state. The governor may authorize his countersignature on said bonds to be by facsimile signature.

The secretary of state shall keep an account of such bonds showing the number and amount of each, the time and date of countersigning, the date of delivery to the treasurer, and the date of maturity.

The state treasurer shall keep an account of each bond showing the number thereof, the name of the person to whom

sold, the amount received from the same, the date of sale and the date of maturity.

4. *Short Term Notes.* Prior to the issuance of the bonds hereunder the state treasurer with the approval of the governor and council, may for the purpose hereof borrow money from time to time on short term loans which may be refunded by the issuance of the bonds hereunder.

5. *Sale of Bonds or Notes.* All bonds or notes (except short-term loans) issued under the provisions of this act shall be sold (1) at public sealed bidding (2) only after an advertisement calling for bids has been published at least once in each of two successive calendar weeks in a newspaper of general circulation in New Hampshire and in a financial publication of national circulation, the first publication being not less than fifteen days prior to the day the bids will be received, and (3) to the highest bidder. The governor and council may reject any or all bids, and/or negotiate with the highest responsible bidder.

The proceeds from the sale of such bonds shall be held by the treasurer and paid out by him upon warrants drawn by the governor for the purposes of this act alone and the governor with the advice and consent of the council, shall draw his warrant for the payment from the funds provided by this act of all sums expended or due for the purposes herein authorized. All interest from such bonds shall be exempt from taxation within the state of New Hampshire.

6. *Tolls.* Tolls or charges, which with the approval of the governor and council, are deemed necessary and reasonable for the use of any part of said highway or any part of the right of way and other property acquired pursuant to the provisions hereof, shall be collected from persons operating motor vehicles thereon or otherwise making use of said right of way. The tolls collected shall be deposited with the state treasurer who shall keep the sums in a separate account, and the operating expenses and maintenance of the turnpike shall be paid from said account. From the balance remaining after payment of operation and maintenance, the governor with the approval of the council, shall pay the interest and principal on the bonds issued hereunder. Fourteen days previous to the time said interest and principal is payable, the state treasurer shall examine



the existing balance and if such balance is insufficient to make the payment, then he shall notify the governor who will immediately draw his warrant on the highway fund to cover any deficit and if the funds in both of the above accounts are insufficient the governor will draw his warrant upon the state's general fund to the amount necessary to meet the payments. The full faith and credit of the state is pledged to the payment of the principal of and the interest on the bonds as they become due and payable. Any funds paid out from the state's general fund for the above purposes shall be reimbursed from the collection of tolls as soon as such funds are available. Any funds that have been or may be expended for the completion of the turnpike by the department of public works and highways shall be repaid to said department when, in the opinion of the governor and council, sufficient funds are available. Any excess income may be used for further toll road extensions in accordance with section 6 (m) of this act. During the construction of the turnpike the governor may, if necessary, draw his warrant upon the highway fund to pay interest due on any bonds that have been issued in accordance with the provisions of this act; such payment is to be repaid to the highway fund from the collection of tolls.

7. *Definition.* Said toll road shall be a limited access highway as defined in part 7, chapter 90 of the Revised Laws as amended by chapter 188, Laws of 1945, except that section 11 shall not apply to ducts, pipes, pipelines, poles, wires or other structures permitted under section 6 (g) of this act or to existing facilities on highways, not now restricted as to access, used as toll-free sections of the turnpike.

8. *Contracts for Construction.* All contracts for the construction of the highway hereunder shall be awarded to the lowest responsible bidder submitting a sealed bid after an advertisement calling for bids has been published at least once in each of two successive weeks in a newspaper of general circulation in New Hampshire. The first publication of such advertisement shall be not less than fourteen days prior to the date upon which bids are received. Contracts shall be awarded in accordance with section 13, part 9, chapter 5, Laws of 1950.

Amend the title of the bill by striking out the same and inserting in place thereof the following:

An Act relating to Lake Winnepesaukee Scenic Highway.

Reading of the amendment having commenced, on motion of Mr. Pickett of Keene further reading was dispensed with.

Mr. Pickett of Keene moved that the House concur in the Senate amendments.

The question being on the motion.

Mr. Scamman of Stratham moved that further consideration of the bill be indefinitely postponed.

The question being on the motion.

(Discussion ensued)

Messrs. Cole of Lebanon, Hodgdon of Tuftonborough, Rogers of Laconia, Rathbone of Exeter and Scamman of Stratham, and Mesdames Miner of Meredith, Studley of Rochester and Gardner of Gilford spoke in favor of the motion.

Mr. Skinner of Alton spoke against the motion.

Mr. Ashley of Lebanon moved the previous question.

The question being, Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to indefinitely postpone.

On a *viva voce* vote the motion prevailed.

### Reconsideration

Mrs. Miner of Meredith moved that the House reconsider its vote whereby it indefinitely postponed House Bill No. 76.

On a *viva voce* vote the motion did not prevail.

### Report of Committee on Engrossed Bills

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House and Senate bills:

House Bill No. 500, An Act providing for the acquisition of certain dams and water rights by the water resources board.

House Bill No. 113, An Act providing for a study and establishment of recreational areas in the Lake Winnepesaukee region.

House Bill No. 365, An Act relative to taxation in Pittsburg and Clarksville.

House Bill No. 125, An Act relative to mental hygiene clinics.

Senate Bill No. 114, An Act to amend the municipal finance act relative to borrowing for school purposes.

The report was accepted.

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 468, An Act relative to old-age and survivors' insurance coverage and the administration thereof, having considered the same, reported the same under Joint Rule No. 6, with the following amendment and recommended that the bill as amended ought to pass.

Amend section 6 of said bill by inserting after "RSA" the following: and as amended by section 2, chapter 92, Laws of 1955.

Further amend said section by inserting at the end thereof the following: The pro-rata share of the cost of administration attributable to the coverage hereon of the civilian employees of the national guard described in paragraph III of section 2 shall be a charge against the appropriation for the adjutant general.

On motion of Mr. Angus of Claremont the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

Senate Bill No. 119, An Act concerning investments by savings banks.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following captioned joint resolution, sent up from the House of Representatives:

House Joint Resolution No. 59, Joint Resolution in favor of Fernand J. Gaudreau.

The message also announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed

Bills, to the following House bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 271, An Act to equalize educational opportunities and to improve the public elementary and high schools of the state.

Amend section 1 of said bill by inserting after the figure "1951" in the third line the following: and chapter 116, Laws of 1953.

Amend section 11 of chapter 140 of the Revised Laws, as inserted by section 1 of said bill by striking out the word and figures "section 10-a" in the fourth line and inserting in place thereof, paragraph a of section 10

Amend section 3 of said bill by striking out the word "the" in the fifth line and inserting in place thereof the words, of insuring.

Further amend said bill by renumbering section 2 to read section 13-a; and by renumbering sections 3 and 4 to read sections 2 and 3.

On motion of Mr. Vaughan of Newport, the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

On motion of Mr. Willey of Campton the rules were suspended to allow the introduction of a committee report not previously advertised in the Journal.

Mr. Willey of Campton, for the Committee on Elections, to whom was referred the resignation of Raymond H. Chase as representative from Ward 1, Dover, having considered the same, reported the same with the recommendation that the resignation be accepted to become effective when Mr. Chase officially takes over his position as Postmaster of Dover, and at the time of his taking over his new position a vacancy declared to exist in the office of representative from Ward 1, city of Dover.

The question being on the recommendation of the committee.

On a *viva voce* vote the recommendation of the committee was adopted.

### Guest Introduced

Mr. Leon Anderson was introduced to the House by the Speaker.

### Resolution

Mrs. St. Pierre of Rochester offered the following resolution:

*Resolved, by the House of Representatives, the Senate concurring:*

That a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to be adjourned and to receive any communication which he may be pleased to make.

On a *viva voce* vote the resolution was adopted.

The Speaker appointed as members of such committee on the part of the House:

Messrs. Ballum of Walpole, Bloomfield of Claremont, Battles of Kingston, Varrell of Laconia, Pryor of Ashland, Ecker of Manchester, Hodgdon of Tuftonboro, Mesdames Wentworth of Madbury, Hurlbert of Errol and Davis of Concord.

The Speaker declared a ten-minute recess.

### (After Recess)

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following joint resolution, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

Amendments to House Joint Resolution No. 64, Joint Resolution in favor of Lloyd E. Fogg and others.

Amend the joint resolution by striking out the figures "3,067.50" in the fourth line and inserting in place thereof the figures, 3,225.

Further amend by striking out the figures "2,480" in the sixth line and inserting in place thereof the figures, 2,945.



Further amend by striking out the fiftieth, fifty-first, fifty-second, fifty-third, fifty-fourth, fifty-fifth and fifty-sixth lines the following: "That the sum of \$1,000 be appropriated to pay for the salary and mileage of the clerk of the House of Representatives and the mileage of the speaker during the months of November and December, 1956 when they shall, if necessary, be working at the call of the speaker to prepare for the incoming legislature by setting up the manual, the handbook, the reference of new bills to committee, the transmission of the proposed bills to the printer and to do any other matters that may be necessary in conjunction with the preparation and drafting of bills for the 1957 session."

Further amend by striking out in the fifty-seventh, fifty-eighth, fifty-ninth and sixtieth lines the following: That the office of the secretary of state be allowed the sum of \$5,418 for the employment of Benjamin F. Greer, clerk of the senate, during the period from September 5, 1955, to December 31, 1956 at the rate of \$153.85 weekly; said Benjamin F. Greer to perform such duties as the secretary of state may assign to him" and inserting in place thereof the following:

That the office of the secretary of state be allowed the sum of \$10,836 for the employment of Benjamin F. Greer, clerk of the senate, and Robert L. Stark, clerk of the house, during the period from September 5, 1955 to December 31, 1956 at the rate of \$153.85 each bi-weekly; said Benjamin F. Greer and Robert L. Stark to perform such duties as the secretary of state may assign to them. The services of the said Benjamin F. Greer and Robert L. Stark shall be available to all interim committees and commissions set up by this legislature and to the Constitutional Convention which is to convene in May 1956.

Further amend by inserting after the sixty-first line the following:

For the recreation division the sum of \$8,798.92 is hereby appropriated for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957, for the payment of fire and extended coverage insurance premiums. Said sums appropriated shall be a charge upon the recreation division funds.

So that said joint resolution as amended shall read as follows:

Amend the bill by adding the following new sections:

*Employees.* Amend chapter 47 of the Revised Laws (chapter 28, RSA) by inserting after section 12 the following new subdivision:

*Prohibition.* Any county employee who has served at least one year shall not be discharged or removed from office except for malfeasance, misfeasance, or inefficiency in office, or incapacity or unfitness to perform his duties as a county employee. Prior to the discharge or removal of any such employee a statement of the grounds and reasons therefor shall be prepared by the county commissioners and signed by a majority of the board and notice thereof shall be given to said employee not less than ten days nor more than thirty days prior to the effective date of such discharge or removal. Upon receipt of such notice the employee may request a public hearing thereon before the county commissioners. If upon such hearing said commissioners shall find good cause for discharge or removal of said employee they shall order his discharge or removal from office, provided that said employee shall have an appeal from the order of the county commissioners to the executive committee of the county delegation as provided in section 12-b.

*Appeal.* Any such employee whose discharge or removal has been ordered by the county commissioners may, within ten days after notice of such order, make written request to the chairman of the county convention for a rehearing. There shall be no change in salary of such employee pending the outcome of the appeal. The chairman of said county delegation, as an ex-officio member of the executive committee, shall upon receipt of said request, call a special meeting of the executive committee whose decision on the discharge or removal of said employee shall be final.

Amend section 18 of chapter 256 of the Revised Laws, as amended by section 3 of chapter 280 of the Laws of 1949 (chapter 318, section 18, RSA) by striking out the same and inserting in place thereof the following section:

18. *Pharmacists.* An applicant for examination and registration as a pharmacist shall be a citizen of the United States, not less than twenty-one years of age, of good moral character and temperate habits, a graduate of a school or college of pharmacy or department of a university accredited

grade A by the American Council on Pharmaceutical Education, and approved by the New Hampshire commission of pharmacy and practical chemistry, shall file proof satisfactory to the commission, substantiated by proper affidavits, of a minimum of one year of experience in a retail or hospital pharmacy in the United States where physicians' prescriptions are compounded under the supervision of a registered or licensed pharmacist, or equivalent qualifications obtained through service in the Armed Forces of the United States, and shall pass an examination given by the New Hampshire commission of pharmacy to establish satisfactorily his fitness to practice. Service and experience in a retail or hospital pharmacy under the supervision of a registered or licensed pharmacist as required in this section shall be predominantly related to the selling of drugs and medical supplies, compounding prescriptions, preparing pharmaceutical preparations, and keeping records and making reports required under state and federal statutes.

*Be it Resolved*, That a study group of five persons comprised of three representatives and two senators; the representatives being appointed by the Speaker of the House and the senators being appointed by the President of the Senate to study the feasibility of a toll road in the Lake Winnepesaukee area. This study group will serve without compensation, and will report their findings to the 1957 legislature.

Amend section 8 of part 4 of chapter 90, Revised Laws, as inserted by section 1 of the bill by striking out said section and inserting in place thereof the following:

8. *Taking of Land and Property.* Upon receipt of the report on the findings and determination of the governor and council, or of the layout commission a land damage commission of three independent qualified citizens appointed by the governor with the advice and consent of the council, shall then assess the damages to be sustained by each owner of land or property to be taken or purchased. They shall tender payment of the sum so assessed for damages unless the same shall be reviewed by the highway damage review and appeal board in the manner herein provided. No taking or purchase of land or property so assessed shall be consummated until tender of payment is made and accepted or refused by the owner or

owners of the land or property to be taken. Such acceptance shall be in writing and signed in ink. Such taking or purchase of land or property may be in fee simple.

Amend section 10 of part 4 of chapter 90, Revised Laws, as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

10. *Board.* There is hereby created and there shall be a board to be known as the highway damage review and appeal board consisting of five persons who have been residents of New Hampshire for at least five years, and who have had previous experience in the assessment of land values and/or knowledge of appraisal of real estate values. There shall be not more than two members of said board from any one county. The board shall review all land damage awards in excess of thirty-five hundred dollars. The board shall review any other award when requested by either the commissioner or an aggrieved land owner.

Amend section 9 of part 4 of chapter 90 of the Revised Laws as inserted by section 1 of the bill, by striking out the same and inserting in place thereof the following:

9. *Land Damage Commission.* Members of land damage commission, appointed hereunder, shall receive for their services the sum of fifteen dollars per day, for such time as they actually are engaged in the service of the state and shall be reimbursed for all traveling, subsistence, incidental and clerical expenses; and any costs of litigation incurred in carrying out the provisions of this act. Such compensation shall be a charge against the funds of the department of public works and highways. Before commencing their duties, members of the land damage commission shall be instructed in their duties by the attorney general or his deputy. Before undertaking negotiations with owners all commissions shall furnish to each owner or his representative in hand or by registered mail, return receipt requested, full written information concerning the landowner's rights and the commission's duties in form to be prescribed by the attorney general.

Amend section 12 of part 4 of chapter 90 of the Revised Laws as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

12. *Term.* The term of office of each member shall be



for five years, except that the first appointments to the board shall be for the terms of one year, two years, three years, four years, and five years, respectively, as designated in their respective appointments. The governor and council shall designate one member of the commission as chairman and another as secretary. The members so designated shall serve in such capacities until the expiration of their terms of office or until vacancies occur, and thereafter such designation shall be made upon the expiration of the term of office of any member and the appointment of a successor.

Amend section 13 of part 4 of chapter 90 of the Revised Laws as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

13. *Compensation and Expenses.* Members of the highway damage review and appeal board shall be paid twenty dollars a day for such time as they actually are engaged in the service of the state and shall be reimbursed for all traveling, subsistence, incidental and clerical expenses; and any costs of litigation incurred in carrying out the provisions of this act. Such compensation shall be a charge against the funds of the department of public works and highways.

Amend section 17 of part 4 of chapter 90 of the Revised Laws as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

17. *Report of Assessments.* When the land damage commission has assessed the amount of damages to be paid an owner for land or property to be taken or purchased under the provisions of this act, the commission shall, if said award is to be reviewed, forthwith report its determination and all the evidence upon which said amount of damages is based to the highway damage review and appeal board on a form or forms prescribed by the board, and shall state in its report whether the amount of damages assessed appears to be satisfactory to the owner.

Amend section 18 of part 4 of chapter 90 of the Revised Laws as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

18. *Powers and Duties of the Board.* The board shall have the power to adopt and amend all rules of procedure, not inconsistent with the constitution and laws of this state, which



reasonably may be necessary for the proper performance of its duties and the regulations of the proceedings before it, including the detail of individual members of the board to be examiners in specific cases. An examiner shall be so detailed by the chairman of the board in any case where specific investigation seems required; and such examiner shall have no function other than to acquire and assemble information for submission to the board. The board may subpoena witnesses and compel their attendance, and also may require the production of books, maps, papers and documents, necessary to the proper performance of the duties of the board. Any member of the board may administer oaths or affirmations to witnesses appearing before the board. Any person failing or refusing to obey the subpoena or order of the board may be proceeded against in the manner as for refusal to obey any other subpoena. The board shall review the report of the commission. If the board believes that the sum assessed is excessive and not in the best interest of the state, the board shall so notify the commission; shall notify the owner by registered mail with request for a return receipt of an amount of assessment which the board feels is in the best interest of the state; and shall notify the attorney general. If no objection on the part of the owner shall be received by the board within seven days of the date on the registered return receipt, only the amount approved by the board shall be tendered to the owner. The owner may appeal to the board within the seven days of the date of the registered return receipt and the board shall hear informally the appeal of the owner and render a decision thereon within thirty days thereafter. If the appeal of the owner results in a change of assessment of damages agreed upon by the board, then the board shall revise the amount approved; shall notify the commission; shall notify the owner by registered mail with request for a return receipt of the revised amount of assessment which the board finds is in the best interest of the state; and shall notify the attorney general. Upon receipt of the revised amount of assessment the commission shall then make tender. If after an appeal is made to the board by the owner and after hearing, no change in the amount of assessment is found to be justified the commission shall make tender of the approved amount of damages. If after review, the board finds the assessed damages is unjustly low, it shall make a complete review of the assessment and may

require the commission to present in further detail the basis for its assessment. After hearing the commission, the board shall establish an approved award by them deemed equitable and just and shall notify the commission; shall notify the owner by registered mail with request for a return receipt of an amount of assessment which the board finds is in the best interest of the state; and shall notify the attorney general. Upon notification by the board of an adjustment of an award that the board determined was unjustly low, the commissioner or attorney general may appeal therefrom as provided in section 19. Tender shall be made to the owner in the revised amount established and approved by the board. The board in notifying any owner of the approval of the amount of damages assessed; a reduction in the amount of damages assessed; or of an increase in the amount of damages assessed shall inform him of his rights of appeal to the board. The board shall, prior to trial on an appeal under section 19, consider and make a final decision on any recommendation of the attorney general concerning settlement out of court.

Amend section 20 of part 4 of chapter 90 of the Revised Laws as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

20. *Approval of Assessments.* If upon review of a report or of a land damage commission on damages assessed the board finds that there is no reason to believe the sum assessed to be excessive or against the best interests of the state, the report shall be returned to the commission with the notation "Approved" and the commission may then tender the payment of the sum assessed. The board shall issue a list of the awards with the names of the owners and amount of awards at least once every two months and furnish a copy to the commissioner of public works and highways, a copy to the secretary of state, a copy to the attorney general and make the list public.

Amend section 21 of part 4 of chapter 90 of the Revised Laws as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

21. *Tender.* No land or other property taken for a highway or alteration shall be appropriated or used for making the same until the damages assessed therefor are paid or tendered to the owner or his guardian or conservator by the com-

mission in money or by check of the state treasurer or of the department of public works and highways or deposited in court as provided by section 26.

Amend section 24 of part 4 of chapter 90 of the Revised Laws as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

24. *In Case of Dispute.* Whenever disputes arise over title to land or other property acquired or over the person entitled to the damages awarded or purchase price, the commission may deposit the money for such damages or purchase price with the clerk of the superior court for the county in which such land or other property is situate together with a bill of interpleader in equity proceedings, and such deposit shall constitute sufficient tender. The court, after due notice to all claimants is given, shall determine the issues in dispute, and the clerk shall pay over the sum deposited to such persons as the court shall find are entitled thereto.

Amend section 25 of part 4 of chapter 90 of the Revised Laws as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

25. *Return and Certificate of Tender.* The commission shall make a return of the highway or any alteration laid out describing the same and the width thereof and the assessment of the damages sustained by each owner of land or other property taken and certifying that payment or tender of payment of damages has been made to each owner, or, if the owner is unknown, or if the identity of the person who may be entitled to damages is uncertain, that tender of such damages has been made by deposit with the state treasurer, or if dispute has arisen, such tender has been made in the superior court, and the certificate of tender shall state his refusal or acceptance thereof.

Amend section 29 of part 4 of chapter 90 of the Revised Laws as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

29. *Purchase of Entire Tract; Sale of Portion.* Whenever the commission is of the opinion that savings to the state will thereby be effected, it may purchase an entire tract of land or other property upon written agreement with the owner subject to review by the highway damage review and

appeal board and, with the consent of the governor and council, the commissioner may sell therefrom whatever land or other property is not needed for the location or relocation of the highway. Sale of property not needed for highway purposes shall be made by the commissioner of public works and highways by public auction or to the highest bidder from sealed bids.

Amend section 30 of part 4 of chapter 90 of the Revised Laws as inserted by section 1 of the bill, by striking out the same and inserting in place thereof the following:

30. *Taking Tree Rights.* The commission may include in its assessment of damages to the abutting owners, damages for the maintenance or planting, from time to time, within the limits of such highway, of such shade or ornamental trees and shrubbery as may be necessary, in the opinion of the commission, for the preservation, improvement, or landscaping of such highway, and upon tender of such damages there shall be a public easement on such highway for such purposes and to protect, preserve and renew the growth thereon.

Amend section 31 of part 4 of chapter 90 of the Revised Laws as inserted by section 1 of the bill by striking out the same and inserting in place thereof the following:

31. *Payment.* The state shall pay for all land and other property taken or acquired by the commission, and, with the approval of the governor, with the advice of the council, for the costs of litigation incurred by the commissioner or by the commission in the taking of such land or property, and all such sums shall be a charge upon funds of the state department of public works and highways.

Amend said bill by inserting after section 1 thereof the following new section:

2. *Commissioner of Public Works and Highways.* Amend section 11 of part 10 of chapter 90 of the Revised Laws as inserted by chapter 188 of the Laws of 1945 by striking out said section and inserting in place thereof the following:

11. *Acquisition and Disposal of Land or Property.* The commissioner of public works and highways may acquire, by agreement with the owner, lands and property or any interest therein for highway purposes in the name of the state at

what he considers a reasonable compensation, and, with the approval of the governor and council, may sell, convey, or lease, in the name of the state, any land or property or interest therein which the state has acquired for highway purposes. In cases where owner or resident is unknown or in cases by dispute over title, the commissioner shall proceed in accordance with sections 21 and 23 of part 4 of this chapter.

Further amend said bill by striking out section 2 and by renumbering and inserting in place thereof the following:

3. *Takes Effect.* This act shall take effect sixty days after the passage thereof, provided that the provisions of section 10 of part 4 of chapter 90, Revised Laws, as hereinbefore inserted which call for the appointment of a highway damage review and appeal board shall take effect upon the passage of this act.

Reading of the amendment having commenced, on motion of Mr. Pickett of Keene the rules were suspended and further reading was dispensed with.

Mr. Pillsbury of Manchester moved that the House non-concur in the amendments sent down from the Honorable Senate and asked that a Committee of Conference be appointed.

The question being on the motion.

Mr. Pillsbury of Manchester spoke in favor of the motion.

On a *viva voce* vote the motion prevailed, and the Speaker appointed as members of such committee on the part of the House, Messrs. Angus of Claremont, Sheridan of Berlin and Crandall of Dover.

Mr. Pickett of Keene moved that the House adjourn and reconvene Friday, August 12.

The question being on the motion.

(Discussion ensued)

Mr. Pickett of Keene spoke in favor of the motion, as to time.

Messrs. Pillsbury of Manchester, Angus of Claremont and Scamman of Stratham spoke against the motion, as to time.

### Personal Privilege

Messrs. Pickett of Keene and Pillsbury of Manchester rose on a point of personal privilege.

The question being on the motion.



On a *viva voce* vote, the motion did not prevail.

Mr. Pickett of Keene demanded the yeas and nays and the roll was called with the following result:

**Yeas — 122**

CHESHIRE COUNTY: Thomas, Pickett, Brown of Marlow, Terrill, Bouvier, Lang of Troy.

SULLIVAN COUNTY: Roe, Vaughan of Newport, Pierce, DeLude.

GRAFTON COUNTY: Ramsey, Campion, Larty, Ashley, Jones of Lebanon, Collyer.

COOS COUNTY: Dussault, Roy, Russell, Sheridan, Brungot, Christiansen, Fontaine, Gagnon, Rines, Alls, Annis, Bushey, Charbonneau, Converse, Baker, Stinson.

ROCKINGHAM COUNTY: Gay of Derry, Blair, Spollett, Labranche, Sewall, Pinkham, Palmer, Barrett, Dondero, Hundley, Payette, Ingraham, Willis (Anna), Willis (Howard).

STRAFFORD COUNTY: Chase, Moher, Karkavelas, Crandall, Pearson, Stearns, Evans, Nadeau, St. Pierre, Maloomian, Letourneau, Cormier.

BELKNAP COUNTY: Morin, Simoneau.

CARROLL COUNTY: Downs.

MERRIMACK COUNTY: Baron, Vogel, Ferrin, Lessels, Corbett, Jewett, Comi, Burke, Kenney, Dempsey, DuDevoir, Mulaire, Workman.

HILLSBOROUGH COUNTY: Farwell, Fortin, Latour, Spaulding, Pettigrew, Soucy of Manchester, Ward 1, Hayes, Horan, Sullivan, Sullivan, Fitzgerald, Kean, Nolan, Betley, Smith of Manchester, Callahan, Clancy, Ecker, Healy of Manchester, Ward 6, Corey, Leclerc, Tessier, Delisle, Lavoie, Constant, Morris, Schricker, Lareau, Martel, Soucy of Manchester, Ward 12, Vaillancourt, Dion of Manchester, Lesmerises, Cannon, Donnelly, Gamache, Thibault of Nashua, Maynard, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Jean, Langelier, Bouthillier, Dumais.

**Nays — 160**

CHESHIRE COUNTY: Smith of Hinsdale, Perry, Maley, McCullough, Bennett, Brown of Keene, Coddington, Faulkner, Carl-

ton, Sherwin, Lane, Ballam, Rhodes, Billings, Ingham, Thompson.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Bloomfield, Bissonett, Millar, Davis of Cornish, Nelson of Goshen, Reney, Bailey, Rowell, Gamsby.

GRAFTON COUNTY: Pryor, Chamberlin of Bath, Plumer, Willey, Sanborn, Bradley, Holden, Sleeper, Chamberlain of Holderness, Adams, Cole, Townsend, Kelley, Martin, Bell, Huckins, Sawyer.

COOS COUNTY: Hurlbert, Ferguson, Cornelium, Simonds, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Durley, Persson, Tenney, Fogg, Bisbee, Clarke of Derry, Nickerson of East Kingston, Eastman of Exeter, Merrill, Rathbone, Jones of Fremont, Parmenter, McCaffery, Cheney, Carter, Murch, Travis, Munz, Haigh, Pillsbury of Sandown, Felch, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Felker, Funkhouser, Littlehale, Chadbourne, Wentworth, Dustin, Studley, Clement of Rochester, Brown of Strafford.

BELKNAP COUNTY: Skinner, McAllister, Gardner of Gifford, Hart, Rogers, Tilton, Ballentine, Karagianis, Burbank, O'Shan, Varrell, Miner, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Benson, Roberts, Nickerson of Madison, Lamprey, Remick, Hodgdon, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Ellsworth, Vaughn of Bow, Stevens, Dowd, Davis of Concord, Hancock, Shea of Concord, Nelson of Concord, Cilley, Maxham, Walker, Mahoney of Concord, Anderson, Nutter, Broadhurst, Carpenter, Mason, Davis of Hopkinton, Brown of Loudon, Gay of New London, Wilman, Ayer of Pittsfield, Young, Bigelow.

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Herrick, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Hadley, Goodwin, Lang of Manchester, Mahony of Manchester, Pillsbury of Manchester, Auger, Peaslee of Merrimack, Deans, Falconer, Buckley, Cummings, Ramsdell,

Saunders, Locke, Dutton, Rice, Willard, Eastman of Weare, Bardol.

And the motion did not prevail.

### Message from the Governor

The Honorable Deputy Secretary of State then appeared and laid before the House the following veto message from His Excellency the Governor:

State of New Hampshire  
Concord  
Executive Chamber  
August 5, 1955

*To the Honorable House of Representatives:*

I am returning House Bill 136 to the House of Representatives in which this bill originated because of serious objections to its passage. I recognize that my constitutional power of veto should be exercised with great restraint, due to my esteem for the General Court as the law-making body of this State.

Preliminary consideration of the Sweepstakes Amendment to the act relative to construction aid to schools starting in 1957 had led me to believe that upon its favorable passage I would sign it. A re-examination and appraisal of the overall implications of the Sweepstakes Amendment as passed by the General Court has led me to a contrary conclusion. In the first place, the Sweepstakes Amendment does not restrict the sale of tickets to the track enclosure as was argued in your parliamentary debates but rather would authorize under the Racing Commission the sale of tickets throughout the State of New Hampshire, exposing the State to the possibility of far more widespread purchase of tickets than was your contemplation.

Secondly, you have not made an appropriation to establish the mechanics of the Sweepstakes operation which you do not define. Third, while the proposed Sweepstakes might legally be operated without conflict with federal statute, there is a possibility of conflict with federal law in the event that the operation should, through inadvertence, not be confined to the proper jurisdiction of the State and therefore place this State in the unenviable position of becoming an unwitting accessory to the violation of federal laws.

Fourth, while I have been scrupulous to observe the prerogatives of the General Court to determine sources of State revenue, it would seem that it is contrary to the best interests of this State to become reliant upon widespread sweepstakes sales as a major source of revenue to operate its state government.

If you are able within the short time at your disposal to segregate the Sweepstakes Amendment from the School Building Aid Bill, I would, of course, execute this act to enable the State to aid school districts in 1957, provided that existing sources of revenue without the addition of sweepstakes proved to be sufficient.

Respectively submitted,

LANE DWINELL.

The question being, Shall the veto of the governor be sustained?

The roll was called with the following result:

#### Yeas — 193

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Persson, Tenney, Fogg, Bisbee, Clarke of Derry, Nickerson of East Kingston, Eastman of Exeter, Merrill, Rathbone, Jones of Fremont, Spollett, Parmenter, McCaffery, Cheney, Carter, Pinkham, Palmer, Payette, Murch, Travis, Munz, Haigh, Willis (Anna), Pillsbury of Sandown, Felch, Robinson of South Hampton, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Karkavelas, Felker, Crandall, Pearson, Funkhouser, Littlehale, Stearns, Chadbourne, Wentworth, Evans, Dustin, St. Pierre, Studley, Clement of Rochester, Brown of Strafford.

BELKNAP COUNTY: Skinner, McAllister, Gardner of Gilford, Hart, Rogers, Tilton, Ballentine, Karagianis, Varrell, Miner, Atwood, Metcalf.

CARROLL COUNTY: Chandler, Benson, Downs, Roberts, Nickerson of Madison, Lamprey, Remick, Hodgdon, Ford, Weeks of Wolfeboro.

MERRIMACK COUNTY: Ellsworth, Vaughn of Bow, Vogel, Stevens, Dowd, Davis of Concord, Hancock, Shea of Concord,

Lessels, Nelson of Concord, Jewett, Cilley, Maxham, Walker, Mahoney of Concord, Anderson, Comi, Nutter, Broadhurst, Carpenter, Mason, Mulaire, Davis of Hopkinton, Brown of Loudon, Gay of New London, Wilman, Ayer of Pittsfield, Young, Bigelow, Workman.

HILLSBOROUGH COUNTY: Holmes, Robinson of Antrim, Wiggin, Herrick, Jones of Francestown, Hambleton, Jennings, Poore, Reed, Hadley, Goodwin, Lang of Manchester, Pettigrew, Pillsbury of Manchester, Callahan, Corey, Auger, Soucy of Manchester, Ward 12, Peaslee of Merrimack, Deans, Falconer, Buckley, Cummings, Ramsdell, Saunders, Locke, Dutton, Rice, Willard, Eastman of Weare, Bardol.

CHESHIRE COUNTY: Thomas, Smith of Hinsdale, Perry, Haley, McCullough, Bennett, Brown of Keene, Coddington, Faulkner, Carlton, Sherwin, Terrill, Lane, Ballam, Rhodes, Billings, Ingham, Thompson.

SULLIVAN COUNTY: Bascom, Frizzell, Angus, Bloomfield, Bissonett, Millar, Davis of Cornish, Nelson of Goshen, Reney, Bailey, Roe, Rowell, Vaughan of Newport, Pierce, Gamsby, DeLude.

GRAFTON COUNTY: Ramsey, Pryor, Chamberlin of Bath, Plumer, Willey, Clarke of Canaan, Sanborn, Campion, Bradley, Holden, Sleeper, Chamberlain of Holderness, Adams, Cole, Townsend, Collyer, Kelley, Martin, Bell, Huckins, Sawyer.

COOS COUNTY: Alls, Hurlbert, Ferguson, Cornelius, Simonds, Annis, Baker, Taylor.

### Nays — 80

ROCKINGHAM COUNTY: Blair, LaBranche, Sewall, Barrett, Dondero, Hundley, Ingraham, Willis (Howard).

STRAFFORD COUNTY: Moher, Nadeau, Maloomian, Letourneau.

BELKNAP COUNTY: Simoneau.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Baron, Ferrin, Corbett, Burke, Kenney, Dempsey, DuDevoir.

HILLSBOROUGH COUNTY: Farwell, Fortin, Latour, Spaulding, Mahony of Manchester, Dwyer, Hayes, Horan, Sullivan,



Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Smith of Manchester, Clancy, Ecker, Healy of Manchester, Ward 6, Slowey, Leclerc, Tessier, Delisle, Lavoie, Constant, Morris, Bergeron, Schricker, Hurley, Lareau, Martel, Vaillancourt, Dion of Manchester, Lesmerises, Cannon, Donnelly, Gamache, Thibault of Nashua, Maynard, Dionne of Nashua, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Jean, Langelier, Bouthillier, Dumais.

CHESHIRE COUNTY: Pickett, Brown of Marlow.

SULLIVAN COUNTY: None.

GRAFTON COUNTY: Jones of Lebanon.

COOS COUNTY: Dussault, Russell, Sheridan, Fontaine, Gagnon, Bushey, Charbonneau, Stinson.

The veto of the Governor was thus sustained, and the Speaker declared the bill lost.

### **Inquiry**

Mr. Spaulding of Hudson rose for an interpretation, by the Speaker, of Article 44 of the Constitution of N. H., relative to reconsidering a bill vetoed by the governor.

### **Speaker's Ruling**

The member from Hudson, Mr. Spaulding, asked how the Chair would interpret the words "and proceed to reconsider it", they being read from Article 44 of the New Hampshire Constitution, Part 2, by the member.

The Chair interprets these words to mean that the reading of the veto message automatically places the bill on reconsideration and that no motion is necessary to be made from the floor to have the bill in such a position. Were such a motion to reconsider to be allowed, and were such a motion not to pass then it is patent that the House could not act upon the message and bill. It should be also obvious that to rule otherwise would be to say that only affirmative action by the House on the motion to reconsider would allow the bill to be voted on again. There can be no other interpretation since the words are a mandate to the House and not an order of motion to be made.

The member then asked the Chair to interpret the meaning of the words "If, after such reconsideration . . ." (still reading from the same source) in the light of the previous statement. Accordingly the Chair rules that the words mean

just what they say, namely, that after a discussion has been had a vote as indicated in the Article referred to should be taken. Actually, a discussion was held and the matter then duly voted upon.

Reconsideration being automatic, any discussion preceding the taking of the vote by roll call is deemed to effectuate the meaning of the words secondly quoted by the member.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the amendments offered by the Committee on Engrossed Bills, to the following House bill, in the adoption of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 167, An Act relative to expenditure of state funds on class IV compact section highways.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4. *Highways, Regulation.* Amend section 1, part 19, chapter 90, of the Revised Laws, as inserted by chapter 188, Laws of 1945 (section 5, chapter 249, RSA) as amended by section 1, chapter 178, Laws of 1955, by striking out the words "twenty-five hundred" in the third line and inserting in place thereof the words three thousand, so that said section as amended shall read as follows:

1. *Regulation.* The commissioner may regulate the use of class I, class II, and class III highways in towns of less than three thousand population and in other towns or cities outside the compact portion thereof as determined by him. He may establish stop intersections, erect stop signs, yield right-of-way signs, or other traffic devices or signals thereon or upon any highway entering therein.

On motion of Mr. Rogers of Laconia the House concurred in the adoption of the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Secretary of State to be engrossed.

The Speaker declared a recess until 7:30 o'clock.

### (After Recess)

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to accede to the

request of the House of Representatives for a Committee of Conference on House Joint Resolution No. 64, Joint Resolution in favor of Lloyd E. Fogg and others, and the President has appointed as members of such a committee on the part of the Senate, Senators Merrill and Powell.

The message further announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 457, An Act providing for a study of the jurisdiction of municipal courts or districts, and relating to school building aid and other purposes.

Amend the bill by striking out in section 4 the words "twenty-five hundred dollars" and inserting in place thereof the words one thousand dollars, so that said section 4 will read as follows:

Section 4. There is hereby appropriated the sum of one thousand dollars for the use of the judicial council in effectuating the purpose of this act.

Further amend the bill by adding the following new section: Section 5.

Amend section 18 of chapter 9 of the Revised Laws, as amended by section 1, chapter 85 of the Laws of 1951 (section 19, chapter 14, RSA) by striking out in the second line the words "ninety-five" and inserting in place thereof the words, one hundred, so that said section as amended shall read as follows:

18. *Senate Clerk.* The compensation of the clerk of the senate shall be one hundred dollars a week for each six-day week of any regular session, together with three hundred and fifty dollars when he files with the secretary of state a printed copy of his Journal and seventy-five dollars for attendance according to law at the opening of each session. Said sums shall be in full for services performed at such regular session.

Amend section 20 of chapter 9 of the Revised Laws, as amended by section 1, chapter 85 of the Laws of 1951 (section 19, chapter 14, RSA) by striking out said section and inserting in place thereof the following:

20. *Assistant Clerks.* The compensation of the assistant clerk of the senate and the assistant clerk of the house shall be ninety-five dollars per week for each six-day week of any regular session.

Amend the bill by inserting after section 6 a new section 7:

7. *Compensation.* The compensation of the doorkeeper and assistant messenger of the senate will be seven dollars and fifty cents per day for each six-day week in any regular session. Said sum shall be in full for services performed at any regular session.

Further amend the bill by renumbering sections 7, 8 and 9 to read sections 8, 9 and 10.

Amend the title of the bill by adding at the end thereof the words "and relating to school building aid and other purposes" so that said title as amended shall read as follows:

An Act providing for a study of the jurisdiction of municipal courts or district courts and relating to school building aid and other purposes.

Amend that part of section 1 of chapter 265 of the Laws of 1953 pertaining to the salary for business supervisor in the eleventh line of paragraph II by striking out the figures 6,500.00 — 7,475.00 and inserting in place thereof the figures 7,000.00 — 8,050.00.

14-a. *Annual Grant for the Payment of Debt Service for School Construction.* To aid local school districts in meeting the costs of the payment of debt for school buildings, the state board of education shall, from funds appropriated by the General Court to carry out the provisions of this act, pay annually to the school districts of the state, sums in accordance with the provisions of this act.

14-b. *Amount of Annual Grant.* The amount of the annual grant to any school district duly organized, any city maintaining a school department within its corporate organization, and any cooperative school district as defined in the Laws of 1947, chapter 199, as amended, shall be a sum equal to twenty percent of the amount of the annual payment of principal on all outstanding loans of the school district, city or cooperative district heretofore or hereafter issued for the cost

of construction of school buildings, to the extent approved by the state board of education, provided that the amount of the annual grant in the case of a cooperative school district (as defined in the Laws of 1947, chapter 199) shall be forty per cent. For the purposes of this act construction shall include the acquisition and development of the site, construction of a new building and/or additions to existing buildings including alterations providing additional pupil capacity, architectural and engineering fees, purchase of equipment and any other costs necessary for the completion of the building as approved by the state board of education.

14-c. *Approval of Plans, Specifications and Costs of Construction.* A school district which desires to avail itself of the grant herein provided shall submit its plans and specifications and make application in writing to the state board of education on such forms as the board may prescribe for the approval of the plans and specifications, and construction cost of school buildings heretofore or hereafter completed or authorized. The state board of education shall approve such costs as it deems necessary. For the purpose of this act, necessary costs shall be computed on the basis of the pupil capacity of the building multiplied by a per pupil allowance, as determined by the state board of education. Pupil capacity shall be based upon the square footage per pupil and/or pupil stations including laboratories and shops adjusted to elementary, junior high and secondary school facilities. The per pupil allowance shall be based upon the actual cost to the school district, city school department, or cooperative school district of the school construction in the school district upon which the school district is now carrying a debt service, or the state average per pupil construction costs of elementary and secondary facilities for the preceding five year period, respectively, whichever is lower. The state average per pupil construction cost for a particular school building may be adjusted whenever in the judgment of the state board of education the expenditures for construction, land, equipment and/or furnishings in the school district, were or are of necessity in excess of average requirements. Upon approval of the construction by the state board of education, the school district shall be entitled to receive an annual grant as provided herein.



14-d. *Time of Computation of Grant.* Between October 1 and December 31 in each year, the state board of education shall cause to be computed the amount of the annual grants for school building aid to be paid to eligible school districts for the current fiscal year. The computation shall be based upon the total of approved costs of construction of school buildings for which loans are outstanding in each school district for the current fiscal year.

14-e. *Proration and Unexpended Funds.* If in any year, the amount appropriated for distribution as school building grants in accordance with section 14-b is insufficient therefor, the appropriation shall be prorated proportionately among the districts entitled to a grant. Any amounts not distributed in the first year of any biennium may be distributed in the second year if required to distribute the maximum amount permissible under section 14-a.

2. *Funds Provided.* If unrestricted general fund revenue for the fiscal year ending June 30, 1956, shall exceed the sum of \$16,419,527 a sum of not exceeding the three hundred and fifty thousand dollars is hereby appropriated for the purpose of school building aid hereunder. For distribution of school building aid for the year beginning July 1, 1956, the state board of education may accept applications and compute the amount of aid under the provisions of 14-d hereinabove inserted, prior to July 1, 1956.

10. *Takes Effect.* This act shall take effect upon its passage, provided that the first annual grant for school building aid hereunder shall be made for the fiscal year beginning July 1, 1956.

On motion of Mr. Vaughan of Newport the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolution:

*Resolved, by the House of Representatives, the Senate concurring:*

That a committee of ten be appointed to join with such committee as the Senate may designate to wait upon His Excellency the Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make, and the President had appointed as members of such committee on the part of the Senate, Senators McMeekin, Landers, Colburn, O'Malley and Caron.

The message also announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills, to the following entitled bill:

House Bill No. 468, An Act relative to old-age and survivors' insurance coverage and the administration thereof.

#### **Report of Committee on Engrossed Bills**

Mrs. Palmer of Plaistow, Mrs. Hundley of Portsmouth and Mr. Ballentine of Laconia, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House and Senate bills and House joint resolution:

Senate Bill No. 126, An Act relative to mileage allowances for legislative officers and employees and establishing a new apportionment for the assessment of public taxes.

House Bill No. 271, An Act to equalize educational opportunities and to improve the public elementary and high schools of New Hampshire.

House Bill No. 440, An Act relative to the Laconia State school.

House Bill No. 484, An Act relative to elections for the city of Keene.

Senate Bill No. 2, An Act relative to reimbursement to towns and cities for land taken by the United States for flood control.

Senate Bill No. 115, An Act relating to certificates required in committing a patient to the state hospital.

Senate Bill No. 123, An Act providing for the election of county commissioners from the commissioner districts of Hillsborough county.

House Joint Resolution No. 59, Joint Resolution in favor of Fernand J. Gaudreau.

Senate Bill No. 119, An Act concerning investments by savings banks.

House Bill No. 420, An Act relative to trust deposits in banks.

The report was accepted.

Mrs. Mahoney of Concord, for the Committee on Engross Bills, to whom was referred House Bill No. 382, An Act relative to cooperative school districts, having considered the same, reported the same under Joint Rule No. 6, with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 9 by inserting after the word "lines" the words, and inserting in place thereof the word, equalized,

Amend section 11 by inserting after the word "lines" the words, and inserting in place thereof the word, equalized,

The report was accepted.

On motion of Mr. Vaughan of Newport, the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was then sent to the Senate for concurrence.

### **Committee of Conference Report**

The Committee of Conference, to whom was referred House Joint Resolution No. 64, Joint Resolution in favor of Lloyd E. Fogg and others, having considered the same, reported the same with the following recommendations:

That the House recede from its position of non-concurrence, that the Senate recede from its position in adopting its amendments and that the House and Senate concur in the adoption of the following amendments:

Amend the caption of the joint resolution by adding at the end thereof the words, relating to insurance premiums for the recreation division, relative to the employees of Merrimack county and a study committee for Winnepesaukee Scenic Highway, so that said caption as amended shall read as follows:

Joint Resolution in favor of Lloyd E. Fogg and others, relating to insurance premiums for the recreation division, rela-

tive to the employees of Merrimack county and a study committee for Winnepesaukee Scenic Highway.

Amend said joint resolution by striking out all after the resolving clause and inserting in place thereof the following:

That Lloyd E. Fogg, sergeant-at-arms of the house, be allowed the sum of \$1,726.50; that Nathan A. Tirrell, sergeant-at-arms of the senate, be allowed the sum of \$1,689.00; that Robert L. Stark, clerk of the house, be allowed the sum of \$3,291.66; that Benjamin F. Greer, clerk of the senate, be allowed the sum of \$3,225.00; that Francis W. Tolman, assistant clerk of the house, be allowed the sum of \$2,945.00; that Frank M. Ayer, assistant clerk of the senate, be allowed the sum of \$2,945.00; that Alice V. Flanders, house legislative service assistant, be allowed the sum of \$2,535.00; that Esther T. Hurd, senate legislative service assistant, be allowed the sum of \$1,860.00; that Marion C. Colby, house legislative service assistant, be allowed the sum of \$2,328.00; that Margaret L. Ford, house legislative service, be allowed the sum of \$1,794.50; that Virginia B. Easton, senate legislative service assistant, be allowed the sum of \$1,528.00; that Frances M. Doherty, senate legislative service assistant, be allowed the sum of \$1,264.00; that Cynthia Kirby, senate legislative service assistant, be allowed the sum of \$304.00; that Helen Y. Andrews, judiciary legislative service assistant, be allowed the sum of \$2,292.00; that Eleanor C. Brown, appropriations legislative service assistant, be allowed the sum of \$2,046.00; that Helene H. Wester, speaker's legislative service assistant, be allowed the sum of \$1,823.00; that Alice P. Pinkham mileage clerk, be allowed the sum of \$1,930.00; that Fred C. Abbott, house custodian of mails and supplies, be allowed the sum of \$1,638.00; that George F. Martin, senate messenger acting as custodian of mails and supplies, be allowed the sum of \$448.50; that Maurice Youmans, senate messenger acting as custodian of mails and supplies, be allowed the sum of \$1,320.00; that Sherman L. Greer, Mabel L. Richardson, Bertha E. Boutwell and Harry J. E. Robinson, doorkeepers of the house, be allowed the sum of \$1,116.00 each; that Daniel Cronin, doorkeeper of the Senate, be allowed the sum of \$1,116.00; that Oney Russell, warden of the coat room, be allowed the sum of \$1,116.00; that Fayne E. Anderson, assistant warden of the coat room, be allowed the sum of \$1,116.00; that Forest A. Bucklin, library

messenger of the house, be allowed the sum of \$1,116.00; that Lucie Weston, telephone messenger of the house, be allowed the sum of \$1,116.00; that Charles E. Woodbury, assistant messenger of the senate be allowed the sum of \$756.00; that William T. Thompson, speaker's page, be allowed the sum of \$1,116.00; that James Martin, page, be allowed the sum of \$1,158.00; that H. Furber Jewett, page, be allowed the sum of \$1,116.00; that George J. Heon, page, be allowed the sum of \$1,116.00; that Joseph Kershaw, page, be allowed the sum of \$1,116.00; that Reuben S. Moore, page, be allowed the sum of \$1,116.00; that Joseph W. Means, clerks' messenger, be allowed the sum of \$1,116.00; that Palmer C. Read, judiciary messenger, be allowed the sum of \$1,122.00; that William Palfrey, appropriations messenger, be allowed \$972.00; that Marjorie Greene, stenographer, be allowed the sum of \$1,350.00; that Natalie Douillette, stenographer, be allowed the sum of \$50.18; that John N. Nassikas, legislative adviser to the executive department, be allowed the sum of \$6,250.00; that James Martin be allowed the sum of \$177.00; that Clarence DuBois be allowed the sum of \$67.50; that John Todd be allowed the sum of \$24.00; that John Ball be allowed the sum of \$7.50; that the superintendent of state building and grounds be allowed the sum of \$706.22 for extra janitor service; that the sum of \$200.00 be appropriated to pay the expenses of the speaker of the house of representatives during the months of November and December, 1956 when he shall, if necessary, be working to prepare for the incoming legislature relative to reference of new bills to committees, the transmission of the proposed bills to the printer and to do any other matters that may be necessary in conjunction with the preparation and drafting of bills for the 1957 session; that the office of the secretary of state be allowed the sum of \$10,836.00 for the employment of Benjamin F. Greer, clerk of the senate, and Robert L. Stark, clerk of the house, during the period from September 5, 1955 to December 31, 1956 at the rate of \$153.85 each, bi-weekly; said Benjamin F. Greer and Robert L. Stark to perform such duties as the secretary of state may assign them. The services of the said Benjamin F. Greer and Robert L. Stark shall be available to all interim committees and commissions set up by this legislature and to the Constitutional Convention which is to convene in May, 1956. The above mentioned sums shall be a charge upon the legislative appropria-



tion. That the sum of \$8,798.92 is hereby appropriated for the recreation division for the fiscal year ending June 30, 1956, and a like sum for the fiscal year ending June 30, 1957, for the payment of fire and extended coverage insurance premiums, and said sum appropriated shall be a charge upon the recreation division funds.

That any Merrimack county employee, except the superintendent of the county farm, who has served at least one year shall not be discharged or removed from office except for malfeasance, misfeasance, or inefficiency in office, or in capacity or unfitness to perform his duties as a county employee. Prior to the discharge or removal of any such employee a statement of the grounds and reasons therefor shall be prepared by the county commissioners and signed by a majority of the board and notice thereof shall be given to said employee not less than ten days nor more than thirty days prior to the effective date of such discharge or removal. Upon receipt of such notice the employee may request a public hearing thereon before the county commissioners. If upon such hearing said commissioners shall find good cause for discharge or removal of said employee they shall order his discharge or removal from office, provided that said employee shall have an appeal from the order of the county commissioners to the executive committee of the county delegation as provided in section 12-b of chapter 47 of the Revised Laws. That any such employee whose discharge or removal has been ordered by the county commissioners may, within ten days after notice of such order, make written request to the chairman of the Merrimack county convention for a rehearing. There shall be no change in salary of such employee pending the outcome of the appeal. The chairman of said county delegation, as an ex-officio member of the executive committee, shall upon receipt of said request, call a special meeting of the executive committee whose decision on the discharge or removal of said employee shall be final.

That a study group of five persons comprised of three representatives and two senators; the representatives being appointed by the speaker of the House and the senators being appointed by the president of the Senate to study the feasibility of a toll road in the Lake Winnepesaukee area. This study

group shall serve without compensation, and shall report its findings to the 1957 legislature.

GEORGE W. ANGUS,  
HARLEY A. CRANDALL,  
FRANK SHERIDAN,

*Conferees on the Part of the House.*

DEAN B. MERRILL,  
JOHN R. POWELL,

*Conferees on the Part of the Senate.*

On motion of Mr. Angus of Claremont the report of the Committee of Conference was agreed to.

### **Communication**

The Speaker read the following letter of resignation:

Dated: August 5, 1955

I hereby request that my resignation be accepted as a member of the General Court as of August 5, 1955.

Signed:

THOMAS PRYOR.

The letter was referred to the Committee on Election.

### **Committee on Engrossed Bills Report**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, to whom was referred House Bill No. 457, An Act providing for a study of the jurisdiction of municipal courts or district courts and relating to school building aid and other purposes, having considered the same, reported the same under Joint Rule No. 6 with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 6 by striking out the figure "19" in the second line and inserting in place thereof the figure 21.

Amend section 7 by striking out the same and inserting in place thereof the following:

7. *Senate Attaches.* The compensation of the door-keeper and assistant messenger of the senate shall be seven dollars and fifty cents a day; each for six days a week in any regular session. Said sum shall be in full for services performed at any regular session. Any part of section 23 of chapter 9 of

the Revised Laws, as amended by an act passed at 1955 session of the legislature which is inconsistent with the provisions of this section shall be repealed to the extent of such inconsistencies.

Amend said bill by inserting after section 8 and before the words "school building aid" the following:

9. *School Building Aid.* Amend chapter 140 of the Re Laws (chapter 198 RSA) by inserting after section 14 the following new section:

Further amend said bill by renumbering the section now numbered 2 to read 10.

Further amend said bill by renumbering the section now numbered 10 to read 11.

Amend section 4 of said bill by striking out the same and inserting in place thereof the following:

4. *Appropriation.* There is hereby appropriated the sum of one thousand dollars for the use of the judicial council in effectuating the purposes of sections 1, 2 and 3.

The report was accepted.

On motion of Mr. Bell of Plymouth, the House adopted the amendments proposed by the Committee on Engrossed Bills.

The bill was sent to the Senate for concurrence.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to adopt the report of the Committee of Conference on House Joint Resolution No. 64, Joint Resolution in favor of Lloyd E. Fogg and others.

The message also announced that the Senate had voted to concur with the House of Representatives in its adoption of the amendments offered by the Committee on Engrossed Bills to the following entitled bill:

House Bill No. 382, An Act relative to cooperative school districts.

On motion of Mr. Maxham of Concord, the rules were suspended to allow the introduction of a committee report not previously advertised in the Journal.

Mr. Willey of Campton, for the Committee on Elections, to whom was referred the resignation of Thomas Pryor as representative from the town of Ashland, having considered the same reported the same with the recommendation that the resignation be accepted, effective upon the adjournment of the present session of the Legislature, and that a vacancy be declared to exist in the office of representative from the town of Ashland at that time.

The question being on the recommendation of the committee.

On a *viva voce* vote the recommendation of the committee was adopted.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate had voted to concur with the House of Representatives in its amendments to the following entitled bill, House Bill No. 457, An Act providing for a study of the jurisdiction of municipal courts or district courts, and relating to school building aid and other purposes.

The message also announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 241, An Act relative to keeping motor vehicles free from obstruction of ice and snow.

Amend the title of the bill by striking out said title and inserting in place thereof the following: An Act relative to legislative attaches.

Amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

1. *Legislative Employees.* There is hereby appropriated the sum of \$5,315.00 as additional compensation to the following attaches of the present session of the General Court:

Alice V. Flanders, \$192; Esther T. Hurd, \$186; Marion C. Colby, \$189; Margaret L. Ford, \$189; Virginia B. Easton, \$191; Frances Doherty, \$158; Helen Y. Andrews, \$189; Eleanor C. Brown, \$186; Helene H. Wester, \$192; Alice P. Pinkham, \$193; Mabel L. Richardson, Bertha E. Boutwell, Harry J. E. Robinson,

Sherman L. Greer, Daniel Cronin, Oney Russell, Fayne E. Anderson, Forest A. Bucklin, Lucie Weston, H. Furber Jewett, William T. Thompson, James Martin, George J. Heon, Joseph Kershaw, Reuben Moote, Joseph W. Means, \$186 each; Palmer C. Read, \$187, William Palfrey, \$161 and Charles Woodbury, \$126. Said sum shall be a charge upon the legislative appropriation.

2. *Takes Effect.* This act shall take effect upon its passage.

On motion of Mr. Deans of Milford, the House concurred in the adoption of the amendments sent down from the Honorable Senate.

The bill was then sent to the Secretary of State to be engrossed.

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House joint resolution and House bills:

House Joint Resolution No. 34, Joint Resolution to provide for an investigation of the laws relating to tax exemption of real estate and personal property and to ascertain the total value of property in New Hampshire so exempted.

House Bill No. 517, An Act making appropriations for capital improvements and long term repairs for the State of New Hampshire.

House Bill No. 468, An Act relative to old age and survivors' insurance coverage and the administration thereof.

House Bill No. 167, An Act relative to expenditure of state funds on class IV compact section highways.

House Bill No. 382, An Act relative to cooperative school districts.

The report was accepted.

### **Appointments**

The Speaker announced that by a letter dated August 5, 1955, the Governor advises the appointments to the Legislative Council:



Richard F. Upton, Concord; William S. Green, Manchester; and Edward J. Gallagher, Laconia.

The Chair announced the following appointments on the part of the House to the Legislative Council: Bradley of Hanover, Green of Rollinsford, Hodgdon of Tuftonboro, Holmes of Amherst, Scamman of Stratham, Studley of Rochester, Bailey of Newport, Sheridan of Berlin and Pappagianis of Nashua.

The Chair makes the following appointments to the Winnepesaukee Park Commission: Ballentine of Laconia, Chandler of Bartlett, and Urie of New Hampton.

The Chair announced the following appointments to the Winnepesaukee Scenic Toll Road Commission: Miner of Meredith, Spollett of Hampstead, and Littlehale of Durham.

The Chair announced the following appointments to the committee to investigate the laws relating to tax exemptions of real estate and personal property and total value of such property so exempted; Mr. Jones of Lebanon, and Mrs. Frizzell of Charlestown, and Mr. Moher of Dover.

The Chair announced the appointment of Mr. Lane of Swanzey to the committee relating to teachers' retirement system study.

### Indefinitely Postponed

In accordance with the resolution that all bills and joint resolutions pending in either branch on Friday, August 5, at 6:00 o'clock, EDT, be indefinitely postponed, the following entitled bills and joint resolutions were indefinitely postponed:

House Bill No. 95, An Act relative to the taking of lobsters and crabs.

House Bill No. 118, An Act relative to taking of wild deer.

House Bill No. 143, An Act relating to taxation of insurance premiums.

House Bill No. 282, An Act relative to the repeal of the school per capita tax.

House Bill No. 338, An Act relative to fish and game commission.

House Bill No. 348, An Act relative to the minimum wage law.

House Bill No. 354, An Act providing for released time from school attendance for religious education.

House Bill No. 391, An Act relative to liens on real estate for payment of certain taxes.

House Bill No. 442, An Act relative to minimum wages of employees in public works.

House Bill No. 445, An Act relating to government securities under the sale of securities act.

House Bill No. 455, An Act to repeal the classification of Little Sugar river under water pollution.

House Bill No. 518, An Act relative to the purchase of motor vehicles for the use of the state.

House Bill No. 537, An Act to revise the charter of the city of Concord.

Senate Bill No. 10 (still in house committee), An Act to relieve persons with a permanent physical incapacitating disability from paying poll taxes.

House Bill No. 142, An Act relative to employment, suspension and dismissal of teachers.

Senate Bill No. 36, An Act abolishing the New Hampshire Tri-State Commission, and transferring its duties to the Legislative Council.

The Speaker declared a recess.

(After recess)

### **Report of Committee on Engrossed Bills**

Mrs. Mahoney of Concord, for the Committee on Engrossed Bills, reported that they had examined and found correctly engrossed the following entitled House joint resolution and House bills:

House Joint Resolution No. 64, Joint Resolution in favor of Lloyd E. Fogg and others, relating to insurance premiums for the recreation division, relative to the employees of Merrimack county and a study committee for Winnepesaukee scenic highway.

House Bill No. 457, An Act providing for a study of the jurisdiction of municipal courts or district courts and relating to school building aid and other purposes.

House Bill No. 241, An Act relative to legislative attaches. The report was accepted.

On motion of Mr. Young of Pittsfield, the House adjourned from the morning session.

### **Afternoon**

The House was immediately called to order in afternoon session.

Mr. Battles of Kingston, for the committee appointed to wait upon His Excellency, the Governor, and inform him that the legislature has completed its duties, reports that they have attended to their duties.

The report was accepted, and His Excellency Lane Dwinell, then came in and delivered the following message:

### **Governor's Message To Prorogue the General Court**

The time has come when the inexorable wheels of the legislative process cease to grind and the labors of this General Court are prorogued to another day.

It is the governor's traditional duty on this occasion to summarize, in brief compass, the legislature's work. In my opinion, you have been a hard hitting, hard headed legislature with considerable accomplishments to your credit, and to the benefit of the citizens of this state.

While you have required 93 legislative days to complete your deliberations, it is not an inconsiderable accomplishment that you have faced issues and taken positive action on 750 bills and resolutions. You have passed over 430. You are indeed unique in your reluctance to reserve legislative judgment by reference of pending legislation to interim study commissions. Your affirmative and square facing up to the issues may have prolonged your session, but I am mindful of the fact that future sessions of the General Court will be the beneficiaries of your work. The Session Laws of 1955 — not the report of an interim commission — will be the basic point of departure of the 1957 session.

While the volume of your legislation is the largest in the history of this state, it is by the quality of your laws that you will be judged. I submit, that you should welcome judgment day.

In the vital area of state finances, you have substantially adopted my recommended operating budget for the biennium. In fact, your appropriations of unrestricted general fund revenues for the purpose of operating our state government were within one percent of my recommended appropriations. Your appropriations of all funds total almost \$100,000,000 for the biennium or within 1½% of my recommendation. You have also adopted a prudent capital budget of under \$2,000,000. You have been vigilantly aware of the sound financial principle that capital outlays entail concomitant operating expenses.

In the equally important area of increasing state revenues to avoid deficit financing, you passed all but one of my proposals. You continued the head tax for another two years. You increased the state's tax on pari-mutuel betting from five to six percent. You increased fees of domestic and foreign corporations, partnerships and proprietorships and you pioneered in the adoption of a law for the mandatory registration of partnerships every ten years. You assessed public utilities in a manner similar to the assessment of banks and insurance companies to reimburse the state regulatory agency for a portion of its regulatory expenses.

While you chose to reject in large measure the recommendations of the interim commission to revise the tax structure, which were transmitted to you with my endorsement, you have nevertheless made several important revisions in our tax structure. You modified applicable statutes to conform to changed equalization and valuation procedures, to assure balanced distribution of state aid for highways, reimbursement to towns for forest fire fighting expenses, state aid to education, and to provide for continued conservative financing in towns and cities under our municipal finance act. Local tax exemption to non-resident charities has been eliminated. Classes of taxable personal property were expanded to include licensed trailers. Jeopardy assessments to prevent loss of personal property tax revenues to towns have been authorized. Coincidental with the liberalization of veterans' tax exemptions, you have authorized a study of all tax exemptions. The state interest and dividends tax has been amended to provide for a fixed rate of  $4\frac{1}{4}$  percent of interest and dividend income in lieu of a variable and uncertain rate levied at the average rate of taxation.

The state tax commission has been authorized upon request to assist municipalities in the appraisal of taxable property and to charge back the expense to the municipality. Also, the tax commission's reassessment of taxable property may be allowed a prospective rather than a retrospective application in the discretion of the commission.

The state's inheritance tax law was amended to conform to changes in the federal tax code adopted in 1954.

Our traditional pride in the devoted service of our veterans was evidenced by your grant of a bonus to Korean veterans similar to the bonus given to veterans of World War II.

About \$1,500,000 has been appropriated, and bonds authorized, for capital improvements at our institutions. You have directed governor and council to construct an out-patient child guidance clinic, and to dispose of its present property; and you have requested our recommendations to the 1957 session of the legislature for an in-patient clinic.

The governing statute for the Laconia State School has been completely overhauled so as to provide for the more efficient functioning of this institution in harmony with its objective of serving the unfortunate mentally retarded.

I commend your action to aid and improve our public education system. Squarely in line with my recommendations, you have increased equalized state aid to education on an improved formula to the highest level in history — \$2,400,000 for the biennium, or \$600,000 over the previous biennium!!!

In one of your most significant acts you have inaugurated for the first time a program of state aid for school building construction. You have made an initial appropriation of \$350,000 for this purpose. This program underscores my deep and abiding conviction that our school building program should receive top priority in extending state aid to education.

Your ratification of the New England Higher Education Compact provides the vehicle for greater educational opportunities and services in the fields of medicine, dentistry, veterinary medicine, public health, literature and science. A new vocational building at Keene Teachers' College, a modern library building at the University of New Hampshire and a new women's dormitory at the University of New Hampshire further implement your efforts to aid education in our state.

Our industrial and recreational economy are the key to the progressive development of our state and standard of living. Your endorsement of a new state park on Spofford Lake and new state parks on Lake Winnepesaukee, if acceptable sites can be secured at a reasonable price, will increase revenues to the many businesses who service our recreational visitors. Your creation of an industrial development authority to develop industrial sites and plants in cooperation with local industrial foundations and communities within the limits of a prudent \$1,000,000 bond authorization, may constitute one of your most significant tangible aids to industry and to the citizens of our local communities. The state should recover its



entire investment many times if the objectives of this bill are accomplished. State aid would cease as soon as private capital and resources assume the obligation undertaken by the state in aid of a local community. Further buttressing the coordinated development of our economy by cooperative effort on a decentralized basis, you have authorized the creation of advisory regional planning commissions, consisting of municipal and county members which may be financed in part by federal funds under the Federal Housing Act of 1954.

Our unemployment compensation law has received its first major overhaul since its adoption almost twenty years ago. Employers may now receive a preferential contribution rate in less time than under the old law; benefit rates to the unemployed have been increased; the unemployment compensation fund has been strengthened and collateral attacks upon the fund have been successfully averted. Our minimum wage law has been increased to 75¢ per hour and our workmen's compensation law has been liberalized. In sum, you have shown a profound awareness of the problems of our economy and the hard working people of our state, and have done something about it — now!

Your early and expeditious action in approving a monumental recodification of our laws with annotations, is another significant accomplishment of this 1955 session.

You have appropriated \$40,000,000 for the biennium for maintenance and expansion of our highways.

The passage of a modified timber tax law preserving the conservation features of a yield tax deferred to the time of severance, launches the state upon a practicable, realistic timber tax program consonant with the objectives I expressed in my inaugural address. You have reasonably preserved the true conservation features of the law; you have safeguarded the interests of heavily timbered towns by a gradual reduction of the amount of reimbursement by the state, and you have reduced the overall cost to the state by about \$150,000 annually. Recognizing the necessity of review of even the most commendable efforts, you have provided for a review four years hence of the impact of the modified program upon heavily timbered towns. I consider your action in stabilizing the forest conservation law as an important accomplishment of my administration.

Another major accomplishment of this General Court has been the enactment of enabling legislation to integrate the state employees' retirement system with federal social security together with provisions for the extension of integrated or federal social security benefits to all cities, towns and counties of the state. You have enabled employees of the state and its political subdivisions to receive greater benefits after a referendum conducted under my supervision in cooperation with employees. At the same time you have established a method whereby the state may be relieved of \$3,500,000 of accrued liability during the next fifteen years and a method whereby employees may receive back \$1,400,000 of the excess of their accumulated contributions if the integrated plan — as I hope — will be adopted. The plan has been developed at a cost to the state of \$4,000.

You have recognized the need for examining our constitution for changes consistent with twentieth century operation of government by authorizing funds for a constitutional convention in 1956.

You effected sweeping revisions of our campaign expenditures law to establish certainty in both primary and general election spending by candidates for public offices. You also amended our primary law so as to authorize voting by spouses and dependents of armed services absentees, as recommended by me in behalf of President Eisenhower. You evidenced a gracious spirit of cooperation in extending your splendid hospitality to our great President.

Typical of the trust you have evidenced in me is your appropriation of \$25,000 for a study of personnel services with a view toward the more efficient functioning of our state government in the interests of all our citizens.

You have not been unmindful of the potential importance of atomic energy to the development of our economy by enacting legislation to coordinate developments in atomic energy as they may affect agriculture, industry, labor, public utilities and other aspects of our complex modern society.

You have implemented the legislative investigation of subversive activities under the office of the attorney general by enacting statutory standards of proof and by granting immunity to witnesses under the jurisdiction of our courts.

You have zealously preserved our constitutional separation of judicial, legislative and executive powers in all your actions, as I have endeavored to in mine.

It is my constitutional duty and desire to carry out your legislative policies and administer the affairs of this state with the resources you have placed at my disposal.

May I extend my heartfelt appreciation to each of you for your cooperation and substantial enactment of my recommended program.

I have executed all acts and resolves of this General Court.

I have been informed by the joint committee of the Senate and House of Representatives that you have completed the business of the session. Therefore, now, by the authority vested in me as governor, I do hereby declare the General Court of New Hampshire adjourned to the last Wednesday in December in the year of our Lord one thousand nine hundred and fifty-six.

Benediction was offered by the Chaplain.

By virtue of the proclamation of His Excellency, the Governor, the Chair declared the House of Representatives adjourned at 12:07 o'clock until the last Wednesday of December, 1956.

ROBERT L. STARK,  
*Clerk.*

A true copy, Attest:

ROBERT L. STARK,  
*Clerk.*

## MILEAGE ROLL

Mr. Crandall of Dover, for the Committee on Mileage, presented the following report:

## Rockingham County

Town	Miles
Auburn	
Margaret Griffin .....	26
Brentwood	
John H. Dudley .....	41
Candia	
Karl J. Persson .....	25
Chester	
Walter Tenney .....	32
Danville	
George Shattuck .....	41
Deerfield	
Carl Fogg .....	23
Derry	
Ernest P. Barka .....	32
Kenneth M. Bisbee .....	32
Harry E. Clark .....	32
Charles H. Gay .....	32
East Kingston	
Guy E. Nickerson .....	44
Epping	
Edmond G. Blair .....	36
Exeter	
Edwin W. Eastman .....	45
Emory P. Eldredge .....	45
C. H. Sayre Merrill .....	45
James C. Rathbone .....	45
Fremont	
Harold L. Jones .....	36
Greenland	
Thornton N. Weeks, Sr. ....	53
Hampstead	
Doris M. Spollett .....	40
Hampton	
Douglass E. Hunter .....	51
Alton P. Tobey .....	51

Town	Miles
Hampton Falls	-
James H. Thurlow .....	50
Kingston	
Nathan T. Battles .....	41
Londonderry	
Draper W. Parmenter .....	29
New Castle	
Thomas F. McCaffery .....	51
Newmarket	
Arthur A. Labranche .....	39
F. Albert Sewall .....	39
Newton	
George L. Cheney .....	46
North Hampton	
George G. Carter .....	50
Northwood	
Ernest L. Pinkham .....	23
Plaistow	
Mildred L. Palmer .....	46
Portsmouth	
Ward 1	
Andrew J. Barrett .....	47
Mary C. Dondero .....	47
Hilda Hundley .....	47
Lise Payette .....	47
Ann Sadler .....	47
Ward 2	
Henry S. Murch, Jr. ....	48
Jeremiah Quirk .....	48
Elizabeth L. Travis .....	48
Ward 3	
John J. Leary .....	47
James J. Joyce .....	47
William J. Wardwell .....	47
Ward 4	
Theodore F. Munz .....	48
Ward 5	
Edward J. Ingraham .....	48
Raymond	
Frank J. Mafera .....	31



<b>Town</b>	<b>Miles</b>
Rye	
Manning H. Philbrick .....	56
Salem	
Walter F. Haigh .....	43
Anna Noyes Willis .....	43
Howard S. Willis .....	43
Sandown	
Ernest C. Pillsbury .....	36
Seabrook	
Myron B. Felch .....	52
So. Hampton	
Frank A. Robinson .....	47
Stratham	
W. Douglas Scamman .....	47
Windham	
Thomas Waterhouse, Jr. ....	36

### Strafford County

Barrington	
Roy V. Swain .....	31
Dover	
Ward 1	
Raymond H. Chase .....	40
Raymond F. Hennessey .....	40
T. Casey Moher .....	40
Ward 2	
Paul G. Karkavelas .....	40
J. Hector Desjardins .....	40
Ward 3	
Levi F. Felker .....	40
Martha G. Webb .....	40
Ward 4	
William H. Connell .....	40
Harley A. Crandall .....	40
Frederick C. Pearson, Jr. ....	40
Ward 5	
Emmet J. Flanagan .....	40

<b>Town</b>	<b>Miles</b>
Durham	
Helen C. Funkhouser .....	36
Albert D. Littlehale .....	36
William M. Stearns .....	36
Farmington	
Edward J. Mros, Sr. ....	43
Eugene F. Nute .....	43
Lee	
Aaron W. Chadbourn, Jr. ....	35
Madbury	
Dorothy L. Wentworth .....	35
Milton	
Reuben J. Evans .....	53
Rochester	
Ward 1	
Ernest L. Rolfe .....	40
Ward 2	
Margaret E. Dustin .....	37
George C. Nadeau .....	37
Ward 3	
Edgar J. Carignan .....	37
Ward 4	
Alphonse Lacasse .....	37
Angeline M. St. Pierre .....	37
Ward 5	
Norma M. Studley .....	37
Ward 6	
Arnold T. Clement .....	37
Philip J. Estes .....	37
Rollinsford	
Fred L. Green .....	44
Somersworth	
Ward 1	
Sarkis N. Maloomian .....	45
Ward 2	
Edward G. Letourneau .....	45
Ward 3	
Clovis Cormier .....	45

<b>Town</b>	<b>Miles</b>
<i>Somersworth—Concluded</i>	
Ward 4	
John F. Beamis .....	45
Ward 5	
James F. Malley .....	45
<i>Strafford</i>	
Albert H. Brown .....	29
<b>Belknap County</b>	
<i>Alton</i>	
Richmond H. Skinner .....	31
<i>Barnstead</i>	
Arthur H. McAllister .....	21
<i>Belmont</i>	
Joseph L. Boutin (deceased) .....	22
<i>Gilford</i>	
Edith B. Gardner .....	32
<i>Gilmanton</i>	
William T. Robertson .....	23
<i>Laconia</i>	
Ward 1	
Myron B. Hart .....	35
James P. Rogers .....	35
Ward 2	
Aime H. Morin .....	29
Alfred W. Simoneau .....	29
Ward 3	
Elmer S. Tilton .....	29
Ward 4	
John Ballentine .....	29
Peter S. Karagianis .....	29
Ward 5	
Henry I. Burbank .....	29
David O'Shan .....	29
Ward 6	
Jack B. Dana .....	31
George W. Varrell .....	31

<b>Town</b>	<b>Miles</b>
Meredith	-
Ruth F. Miner .....	38
Joseph F. Smith .....	38
New Hampton	
H. Thomas Urie .....	37
Sanbornton	
Marion H. Atwood .....	24
Tilton	
Warren F. Metcalf .....	20

### Carroll County

Bartlett	
Earle W. Chandler .....	91
Conway	
Mellen B. Benson .....	81
Elmer H. Downs .....	81
Milburn F. Roberts .....	81
Freedom	
Edward J. Stokes .....	70
Madison	
Guy W. Nickerson .....	66
Moultonborough	
Stewart Lamprey .....	48
Ossipee	
Margretta M. Hayden .....	57
Sandwich	
Reuben N. Hodge .....	51
Tamworth	
Earle H. Remick .....	61
Tuftonboro	
Forrest W. Hodgdon .....	57
Wakefield	
Clarence E. Peaslee .....	55
Wolfeboro	
Joseph P. Ford .....	46
Alonzo Page Weeks, II .....	46

## Merrimack County

Town	Miles
Allenstown	
Edgar A. Baron .....	10
Andover	
Victor E. Phelps .....	23
Boscawen	
Elmer S. Ellsworth .....	10
Bow	
Wilbur H. Vaughn .....	7
Canterbury	
Albert A. Vogel .....	13
Chichester	
Clifton W. Stevens .....	11
Concord	
Ward 1	
Frank J. Dowd .....	8
James P. Ferrin .....	8
Ward 2	
Alice Davis .....	3
Ward 3	
Arthur F. Henry .....	3
Ward 4	
Clayton F. Colbath .....	2
Lee C. Hancock .....	2
Daniel J. Shea .....	2
Ward 5	
Clarence Lessels .....	2
Stewart Nelson .....	2
Ward 6	
George H. Corbett .....	2
Guy Jewett .....	2
Herbert W. Rainie .....	2
Gertrude E. Saltmarsh .....	2
Ward 7	
G. Carroll Cilley .....	4
Paul B. Maxham .....	4
Shelby O. Walker .....	4
Charles J. McKee .....	4



Town	Miles
Concord— <i>Concluded.</i>	
Ward 8	
Victoria E. Mahoney .....	4
Ward 9	
Howe Anderson .....	3
Joseph J. Comi .....	3
Epsom	
Eleanora C. Nutter .....	13
Franklin	
Ward 1	
Basil Broadhurst .....	21
Ward 2	
James M. Burke .....	21
Theodore E. Kenney .....	21
Ward 3	
Peter P. Charland .....	21
John P. Dempsey .....	21
Henniker	
Lewis H. Carpenter .....	18
Hill	
George C. Mason .....	25
Hooksett	
Edward M. DuDevoir .....	15
John B. Mulaire .....	15
Hopkinton	
Nathaniel F. Davis .....	10
Loudon	
William H. Brown .....	15
Newbury	
Randolph H. Milligan .....	33
New London	
Paul B. Gay .....	36
Northfield	
Fred G. Wilman .....	19
Pembroke	
Leo Payeur .....	8
George D. Thibeault .....	8
Pittsfield	
Mary R. Ayer .....	16
E. Harold Young .....	16

<b>Town</b>	<b>Miles</b>
Salisbury	
George H. Lovejoy .....	17
Warner	
L. Waldo Bigelow, Jr. ....	18
Webster	
Mary E. Bean .....	17
Wilmot	
Don W. Workman .....	28

### Hillsborough County

Amherst	
Nelle L. Holmes .....	32
Antrim	
Carl H. Robinson .....	32
Bedford	
Ralph M. Wiggin, Sr. ....	23
Bennington	
Edward C. Black .....	35
Brookline	
Grover C. Farwell .....	42
Deering	
M. Rosamond Herrick .....	29
Francestown	
Clarence C. Jones .....	31
Goffstown	
A. Kenneth Hambleton .....	20
Rufus L. Jennings .....	20
Alfred W. Poore .....	20
Austin H. Reed .....	20
Greenville	
O. John Fortin .....	47
Hillsborough	
Samuel P. Hadley .....	25
Hollis	
Ann J. Goodwin .....	42
Hudson	
Roland W. Abbott .....	39
Roland Latour .....	39
Ned Spaulding .....	39

Town	Miles
Manchester	
Ward 1	
Richard L. Burgess .....	19
George A. Lang .....	19
James Pettigrew .....	19
Emile J. Soucy .....	19
Ward 2	
Harry J. Danforth .....	19
Joseph H. Geisel .....	19
James L. Mahoney .....	19
John Pillsbury .....	19
Kenneth W. Robb .....	19
Ward 3	
Michael J. Dwyer .....	19
James F. Hayes .....	19
Denis Horan .....	19
Thomas F. Sullivan .....	19
Ward 4	
William J. Fitzpatrick .....	20
Dominick J. Kean .....	20
Thomas F. Nolan .....	20
Ward 5	
Stanley J. Betley .....	20
Jeremiah B. Healy .....	20
John F. Shea .....	20
George W. Smith .....	20
Edward J. Walsh .....	20
Ward 6	
John H. Callahan .....	21
Denis J. Casey .....	21
Edward D. Clancy .....	21
Joseph F. Ecker .....	21
Daniel J. Healy .....	21
James E. Slowey .....	21
Ward 7	
William W. Corey .....	21
Charles J. Leclerc .....	21
Adrien A. Paradis .....	21
Alonzo J. Tessier .....	21

Town	Miles
Manchester— <i>Concluded</i>	
Ward 8	
William H. Craig, Jr. ....	21
Eugene H. Delisle, Sr. ....	21
Raymond J. Langlois ....	21
George L. Lavoie ....	21
George N. Constant ....	21
Ward 9	
Beatrice B. Cary ....	20
Edward W. Morris ....	20
Ward 10	
George S. Auger ....	21
Alfred A. Bergeron ....	21
John J. Kearns ....	21
Otto Schricker, Sr. ....	21
Ward 11	
Maurice A. Alexander ....	21
Walter G. Boisvert ....	21
George J. Hurley ....	21
Ward 12	
Amelia Lareau ....	21
Edward T. Martel ....	21
Louis J. Soucy ....	21
Leon J. Vaillancourt ....	21
Ward 13	
Albert N. Dion ....	21
Lorenzo P. Gauthier ....	21
Lucien J. Gelinas ....	21
Paul M. Lafond ....	21
Origene Lesmerises ....	21
Ward 14	
Edward J. Cannon ....	21
Michael S. Donnelly ....	21
Willibert Gamache ....	21
Merrimack	
Bert L. Peaslee ....	31
Milford	
David Deans, Jr. ....	34
William M. Falconer ....	34
Fred T. Wadleigh ....	34

Town	Miles
Mont Vernon	
William B. Buckley .....	31
Nashua	
Ward 1	
Roland L. Cummings .....	37
David E. Peterson .....	37
Alice L. Ramsdell .....	37
William A. Saunders .....	37
Ward 2	
George F. Boire .....	37
Wilfrid G. Thibault .....	37
Ward 3	
Agenor Belcourt .....	39
Hector J. Trombley .....	39
Ward 4	
Winslow P. Ayers .....	39
Cornelius M. Brosnahan .....	39
Ward 5	
Albert Maynard .....	39
George S. Pappagianis .....	39
Ward 6	
John B. Dionne .....	39
Frank B. Shea .....	39
Ward 7	
Arthur J. Chartrain .....	39
Frank E. Ryan .....	39
Dennis F. Sweeney .....	39
Ward 8	
Charles A. Dugas .....	39
Alphonse A. Dutilly .....	39
Alfred P. Grandmaison .....	39
Peter Z. Jean .....	39
J. B. Henry Langelier .....	39
Ward 9	
Paul E. Bouthillier .....	39
Peter J. Dumais .....	39
New Boston	
Edward F. Locke .....	25
New Ipswich	
Matti P. Aho .....	53



<b>Town</b>	<b>Miles</b>
Pelham	
Andrew L. Mailloux .....	40
Peterborough	
Charles F. Dutton .....	48
Benjamin M. Rice .....	48
Temple	
Herbert A. Willard .....	50
Weare	
Scott F. Eastman .....	18
Wilton	
Frank H. Bardol .....	41

### Cheshire County

Alstead	
Nelson C. Burnham .....	62
Chesterfield	
Walter J. Post .....	66
Dublin	
Charles R. Thomas .....	56
Fitzwilliam	
Lewis R. Pike .....	68
Hinsdale	
Orson G. Smith .....	73
Jaffrey	
Lenna W. Perry .....	56
Carl C. Spofford .....	56
Keene	
Ward 1	
Charles P. Haley .....	54
Howard W. Kirk .....	54
Edward C. Sweeney, Sr. (deceased) .....	54
Ward 2	
James E. McCullough .....	53
Kirke M. Wheeler .....	53
Ward 3	
Frank J. Bennett .....	52
Edward E. Brown .....	52
Ward 4	
Leroy E. Coddington .....	54
Francis F. Faulkner .....	54

<b>Town</b>	<b>Miles</b>
Keene— <i>Concluded</i>	
Ward 5	
Laurence M. Pickett .....	54
Hugh F. Waling .....	54
Marlborough	
Charles E. Carlton .....	58
Marlow	
John F. Brown .....	47
Rindge	
Harry E. Sherwin .....	62
Surry	
Roy L. Terrill .....	60
Swanzey	
Kenneth P. Lane .....	59
John E. Bouvier .....	59
Troy	
Franklin L. Lang .....	63
Walpole	
Louis S. Ballam .....	73
E. Everett Rhodes .....	73
Westmoreland	
Oscar W. Billings .....	65
Winchester	
Frederick H. Ingham .....	67
Alexander P. Thompson .....	67

### Sullivan County

Acworth	
Glenn N. Bascom .....	56
Charlestown	
Martha McD. Frizzell .....	63
Claremont	
Ward 1	
George W. Angus .....	53
Harry Bloomfield .....	53
Arthur E. Howe .....	53
Ward 2	
William F. Bissonett .....	53
Maurice D. Firestone .....	53
Julia A. Millar .....	53

Town	Miles
Claremont— <i>Concluded</i>	
Ward 3	
Alfred Marcotte (deceased) .....	53
Clifton Simms .....	53
Robert E. Stone .....	53
Cornish	
Fred Davis .....	62
Goshen	
Walter R. Nelson .....	52
Grantham	
Doris C. Reney .....	58
Newport	
Elsie C. Bailey .....	44
Gladys D. Roe .....	44
Jesse R. Rowell .....	44
Joseph W. Vaughan .....	44
Plainfield	
Edward M. Pierce .....	71
Sunapee	
Clifford E. Gamsby .....	45
Unity	
Margaret B. DeLude .....	60

### Grafton County

Alexandria	
Harry B. Ramsey .....	39
Ashland	
Thomas Pryor .....	51
Bath	
Edwin P. Chamberlin .....	93
Bethlehem	
Malcolm J. Stevenson .....	95
Bristol	
Bowdoin Plumer .....	33
Campton	
Philip S. Willey .....	60
Canaan	
Frank B. Clarke .....	50
Enfield	
Isaac H. Sanborn .....	56

Town	Miles
Hanover	
Edith P. Atkins (deceased) .....	69
David J. Bradley .....	69
Elizabeth W. Hayward .....	69
Charles A. Holden .....	69
James Campion (replaced Mrs. Atkins) .....	69
Haverhill	
Wilfred J. Larty .....	89
Finlay P. Sleeper .....	89
Holderness	
Stanley A. Chamberlain .....	47
Landaff	
George F. Clement .....	102
Lebanon	
Arthur F. Adams .....	69
Jerold M. Ashley .....	69
Forrest B. Cole .....	69
Fred A. Jones .....	69
Joseph B. Perley .....	69
Harry S. Townsend .....	69
Lincoln	
Charles Griffin .....	75
Lisbon	
Rita Collyer .....	99
Littleton	
Van H. Gardner .....	100
Fred Kelley .....	100
Eda C. Martin .....	100
Lyme	
Walter H. Horton .....	80
Monroe	
George L. Frazer, Sr. ....	98
Orange	
Geoffrey Talbot .....	51
Orford	
Robert W. Carr .....	90
Plymouth	
Kenneth G. Bell .....	52
Elmer E. Huckins .....	52

Town	Miles
Runney	
Jesse A. Barney .....	52
Wentworth	
Charles A. Gilbert .....	58
Woodstock	
Thomas F. Sawyer .....	69

## Coos County

Berlin	
Ward 1	
Oliver A. Dussault .....	120
Guy J. Fortier .....	120
Edward J. Roy .....	120
Ward 2	
Arthur J. Russell .....	120
Frank H. Sheridan .....	120
Ward 3	
Hilda C. F. Brungot .....	120
Marie A. Christiansen .....	120
Ward 4	
Arthur A. Bouchard .....	120
Jennie A. Fontaine .....	120
Rebecca Gagnon .....	120
Carroll	
Oscar E. Rines .....	98
Colebrook	
Harry S. Alls .....	147
Errol	
Celia G. Hurlbert .....	143
Gorham	
Harry Bishop, Sr. ....	109
Philip K. Ross, Sr. ....	109
Jefferson	
Roy A. Ferguson .....	106
Lancaster	
John D. Cornelius .....	111
Arthur L. Simonds .....	111
Milan	
R. Wilbur Potter .....	126



Town	Miles
Millsfield	
Elmer L. Annis .....	153
Northumberland	
Walter O. Bushey .....	121
Raymond Charbonneau .....	121
Pittsburg	
Harvey H. Converse .....	170
Stark	
Grace M. Phelan .....	127
Stewartstown	
Claude J. Baker .....	155
Stratford	
Bert Stinson .....	135
Whitefield	
Ada C. Taylor .....	102



## APPENDIX I

# FINAL DISPOSITION OF BILLS AND RESOLUTIONS

HB 1, An Act providing for the assessment and collection of a special head tax for state purposes.

**Engrossed. Ch. 50, Laws of 1955.**

HB 2, An Act relative to tobacco tax on sale of cigarettes.  
**House — Killed.**

HB 3, An Act relative to pari mutuel pools and payments to towns and cities for race meets therein.

**Engrossed. Ch. 74, Laws of 1955.**

HB 4, An Act providing for local option for towns on the question of use of firearms in hunting deer in said town.

**Engrossed. Ch. 268, Laws of 1955.**

HB 5, An Act validating certain proceedings of the Bedford School District.

**Engrossed. Ch. 383, Laws of 1955.**

HB 6, An Act providing for exemption from payment of poll taxes for veterans of the Korean conflict.

**Engrossed. Ch. 12, Laws of 1955.**

HB 7, An Act providing a bounty on raccoon.  
**Killed.**

HB 8, An Act relative to causes for divorce.  
**Killed.**

HB 9, An Act relating to abandoned iceboxes.  
**Engrossed. Ch. 158, Laws of 1955.**

HB 10, An Act relative to the designation of bargaining agencies for employees.

**Engrossed. Ch. 75, Laws of 1955.**

HB 11, An Act relative to forest lands under the jurisdiction of the forestry and recreation commission.

**Killed.**

HB 12, An Act authorizing an interests compact relating to flood control of the Merrimack River.

**Killed.**

HB 13, An Act relative to mileage for members of the legislature.

**Engrossed. Ch. 228, Laws of 1955.**

HB 14, An Act requiring a new registration of voters in the city of Dover.

**Engrossed. Ch. 406, Laws of 1955.**

HB 15, An Act relative to recordation of liens on real estate for payment of income tax.

**Engrossed. Ch. 10, Laws of 1955.**

HB 16, An Act to promote safety on the highways by regulating access to state highways to drive-in theaters.

**Engrossed. Ch. 135, Laws of 1955.**

HB 17, An Act relative to the salaries for Grafton county commissioners.

**Senate — Killed.**

HB 18, An Act increasing the appropriation for dormitory at Keene Teachers College.

**Engrossed. Ch. 9, Laws of 1955.**

HB 19, An Act relating to prisoners committed to a house of correction.

**Engrossed. Ch. 29, Laws of 1955.**

HB 20, An Act legalizing the biennial election in the town of Newport.

**Engrossed. Ch. 387, Laws of 1955.**

HB 21, An Act relating to the par value of the shares of stock of insurance companies.

**Engrossed. Ch. 6, Laws of 1955.**

HB 22, An Act relative to the care and custody of females transferred to the custody of the state prison.

**Engrossed. Ch. 61, Laws of 1955.**

HB 23, An Act to legalize greyhound racing in New Hampshire and to establish a state greyhound racing commission.

**House — Killed.**

HB 24, An Act providing that persons receiving certain federal benefits not disqualified from state unemployment benefits.

**Engrossed. Ch. 4, Laws of 1955.**

HB 25, An Act relative to forest conservation and taxation.

**Engrossed. Ch. 287, Laws of 1955.**

HB 26, An Act providing for the application of motor vehicle laws on highways on land owned by the United States of America.

**Engrossed. Ch. 90, Laws of 1955.**

HIB 27, An Act relative to fees for the recordation of merger and consolidation agreements between business corporations.

**Engrossed. Ch. 1, Laws of 1955.**

HB 28, An Act relative to printing session laws.

**Engrossed. Ch. 2, Laws of 1955.**

HB 29, An Act relative to number of write-in votes at primary elections.

**Engrossed. Ch. 3, Laws of 1955.**

HB 30, An Act relative to recount of votes after the biennial election.

**Killed.**

HB 31, An Act relative to change in classification of highway in Alstead and Gilsum.

**Engrossed. Ch. 13, Laws of 1955.**

HB 32, An Act authorizing public inspection of welfare records.

**Killed.**

HB 33, An Act providing for supplemental appropriations for certain state departments.

**Engrossed. Ch. 5, Laws of 1955.**

HB 34, An Act relating to the use of facsimile signatures in the drawing of checks by the treasurers of public bodies.

**Engrossed. Ch. 81, Laws of 1955.**



HB 35, An Act relating to the salary of the superintendent of the state sanatorium.

**Killed.**

HB 36, An Act to provide recognition of the war service of residents of this state who served in the armed forces of the United States during the Korean conflict.

**Engrossed. Ch. 286, Laws of 1955.**

HB 37, An Act relating to hawkers and peddlers.

**Engrossed. Ch. 185, Laws of 1955.**

HB 38, An Act to establish a board of boiler rules and to provide for inspection of boilers and unfired pressure vessels.

**Killed.**

HB 39, An Act relative to taking wild deer.

**Engrossed. Ch. 264, Laws of 1955.**

HB 40, An Act providing for an income tax.

**Killed.**

HB 41, An Act increasing the fee for retailer's license under tobacco tax law.

**Killed.**

HB 42, An Act relative to the sewerage system in the town of Jaffrey.

**Engrossed. Ch. 385, Laws of 1955.**

HB 43, An Act relative to forest conservation.

**Killed.**

HB 44, An Act relative to granting school districts and cities temporary emergency exemption from the provisions of the municipal finance act.

**Engrossed. Ch. 11, Laws of 1955.**

HB 45, An Act changing the classification of a road in the town of Merrimack.

**Engrossed. Ch. 8, Laws of 1955.**

HB 46, An Act changing classification of the so-called King's highway.

**Engrossed. Ch. 26, Laws of 1955.**

HB 47, An Act relative to investigation of subversive activities.

**Engrossed. Ch. 197, Laws of 1955.**

HB 48, An Act relative to distribution of election material by minors.

**Killed.**

HB 49, An Act relative to benefit, rates, earnings in waiting period and merit rates, under the unemployment compensation law.

**Engrossed. Ch. 7, Laws of 1955.**

HB 50, An Act legalizing the biennial election held in the town of Newbury, November 2, 1954.

**Engrossed. Ch. 388, Laws of 1955.**

HB 51, An Act relative to standards of proof of subversive activities.

**Engrossed. Ch. 181, Laws of 1955.**

HB 52, An Act to ratify the New England higher education compact.

**Engrossed. Ch. 232, Laws of 1955.**

HB 53, An Act relative to highway appropriations.

**Engrossed. Ch. 186, Laws of 1955.**

HB 54, An Act relative to marine toilets and disposal of sewage from boats.

**Killed.**

HB 55, An Act providing for the classification of Salmon brook and its watershed.

**Engrossed. Ch. 24, Laws of 1955.**

HB 56, An Act providing for the classification of certain surface waters in Grafton county.

**Engrossed. Ch. 91, Laws of 1955.**

HB 57, An Act providing for the classification of Pennichuck brook and its watershed.

**Engrossed. Ch. 25, Laws of 1955.**

HB 58, An Act providing for the classification of certain surface waters in Cheshire county.

**Engrossed. Ch. 168, Laws of 1955.**

HB 59, An Act providing for the classification of Baker river and its watershed.

**Engrossed. Ch. 233, Laws of 1955.**

HB 60, An Act relative to migratory game birds.

**Engrossed. Ch. 30, Laws of 1955.**

HB 61, An Act relative to the taking of wild bear.

**Engrossed. Ch. 234, Laws of 1955.**

HB 62, An Act relative to airport zoning.

**Engrossed. Ch. 58, Laws of 1955.**

HB 63, An Act to prevent malicious delay of fire alarms.

**Engrossed. Ch. 235, Laws of 1955.**

HB 64, An Act relative to aeronautical funds.

**Engrossed. Ch. 73, Laws of 1955.**

HB 65, An Act relative to liability in the operation of aircraft.

**Engrossed. Ch. 187, Laws of 1955.**

HB 66, An Act relating to fees and licenses for the sale of liquor in restaurants.

**Killed.**

HB 67, An Act relative to travel expenses of members of the interstate control commission.

**Killed.**

HB 68, An Act relative to water pollution, reclamation projects.

**Engrossed. Ch. 82, Laws of 1955.**

HB 69, An Act relating to the issue of duplicates of lost deposit books.

**Engrossed. Ch. 14, Laws of 1955.**

HB 70, An Act relative to the payment of forest fire expenses.

**Engrossed. Ch. 188, Laws of 1955.**

HB 71, An Act relative to reimbursement of municipalities for forest fire expenses.

**Engrossed. Ch. 189, Laws of 1955.**

HB 72, An Act relative to the charter of the trustees of the Protestant Episcopal Church in New Hampshire.

**Engrossed. Ch. 391, Laws of 1955.**

HB 73, An Act to regulate the sale and distribution of mixed fertilizers and fertilizer material in the state.

**Engrossed. Ch. 52, Laws of 1955.**

HB 74, An Act relating to the Gale Home for Aged and Destitute Women.

**Engrossed. Ch. 389, Laws of 1955.**

HB 75, An Act to revise and codify the revised statutes of the state of New Hampshire.

**Engrossed. Not included in Session Laws, 1955.**

HB 76, An Act relative to extension of or additions to the Portsmouth-Seabrook toll road (known as the New Hampshire Turnpike), the Spaulding Turnpike and the Frederic E. Everett Highway.

**Killed.**

HB 77, An Act relative to destruction of old insurance records.

**Engrossed. Ch. 44, Laws of 1955.**

HB 78, An Act relative to motor vehicle weights.

**Engrossed. Ch. 230, Laws of 1955.**

HB 79, An Act relative to the number of small claims which may be filed in small claims court.

**Engrossed. Ch. 15, Laws of 1955.**

HB 80, An Act relative to computation of final compensation for determination of retirement allowance under the employees' retirement system of the state of New Hampshire.

**Killed.**

HB 81, An Act relative to penalties for certain motor vehicle violations.

**Engrossed. Ch. 282, Laws of 1955.**

HB 82, An Act relative to qualifications for registration as legislative counsel.

**Killed.**

HB 83, An Act relative to bow and arrow licenses for minors.

**Engrossed. Ch. 136, Laws of 1955.**

HB 84, An Act relative to employment of members of the General Court at race meets.

**Killed.**

HB 85, An Act relative to hunting and fishing licenses.

**Engrossed. Ch. 22, Laws of 1955.**

HB 86, An Act relative to tractors or trucks used on snow-mobiles.

**Killed.**

HB 87, An Act relative to motor vehicle inspection stations.

**Killed.**

HB 88, An Act relative to penalty for failure to surrender motor vehicle license, registration or number plate upon demand.

**Engrossed. Ch. 143, Laws of 1955.**

HB 89, An Act relative to manner of driving motor vehicles, hand signals.

**Engrossed. Ch. 53, Laws of 1955.**

HB 90, An Act relating to motor vehicles of minors.

**Killed.**

HB 91, An Act relative to shooting wild animals in the nighttime.

**Killed.**

HB 92, An Act relative to the mortgage of corporate assets by authority of the board of directors.

**Engrossed. Ch. 19, Laws of 1955.**

HB 93, An Act relative to classification of a certain road in the town of Stratford.

**Engrossed. Ch. 31, Laws of 1955.**

HB 94, An Act relative to taking of oysters, lobsters, crabs, and clams.

**Engrossed. Ch. 308, Laws of 1955.**



HB 95, An Act to amend and codify the marine fisheries laws.

**Killed.**

HB 96, An Act relative to pre-packaged meat, poultry and fish.

**Killed.**

HB 97, An Act relative to spare or substitute highway toll collectors.

**Killed.**

HB 98, An Act providing for a constitutional convention.

**Engrossed. Ch. 42, Laws of 1955.**

HB 99, An Act legalizing the annual town meeting and certain special town meeting in the town of Hudson.

**Engrossed. Ch. 384, Laws of 1955.**

HB 100, An Act relative to standards of quality for ammonia.

**Killed.**

HB 101, An Act relative to exemption from fees for seeing eye dogs.

**Engrossed. Ch. 16, Laws of 1955.**

HB 102, An Act relative to use of binder chains on motor vehicles carrying pulp wood.

**Engrossed. Ch. 122, Laws of 1955.**

HB 103, An Act relative to motor vehicle operators' occupational licenses.

**Killed.**

HB 104, An Act relative to the prohibition of rifles while hunting raccoon at night.

**Killed.**

HB 105, An Act relative to bonded indebtedness of the town of Hancock.

**Engrossed. Ch. 390, Laws of 1955.**

HB 106, An Act relative to wounding a human being while hunting.

**Engrossed. Ch. 66, Laws of 1955.**

HB 107, An Act relative to trusts for care of cemetery lots.

**Engrossed. Ch. 27, Laws of 1955.**

HB 108, An Act relative to the acquisition of land by the state.

**Killed.**

HB 109, An Act relative to the authority to issue licenses to carry concealed pistols and revolvers.

**Killed.**

HB 110, An Act relative to agricultural vehicles and trucks.

**Engrossed. Ch. 144, Laws of 1955.**

HB 111, An Act relative to special fish and game licenses for members of the armed forces of the United States.

**Engrossed. Ch. 100, Laws of 1955.**

HB 112, An Act relative to bonds of the city of Portsmouth.

**Engrossed. Ch. 416, Laws of 1955.**

HB 113, An Act providing for a study and establishment of recreational areas in Lake Winnepesaukee region.

**Engrossed. Ch. 326, Laws of 1955.**

HB 114, An Act relative to games of beano.

**Killed.**

HB 115, An Act for county cooperative extension work in agriculture and home economics.

**Killed.**

HB 116, An Act relative to the discharge of firearms.

**Killed.**

HB 117, An Act relative to payment of wages of a deceased person.

**Engrossed. Ch. 69, Laws of 1955.**

HB 118, An Act relative to taking of wild deer.

**Killed.**

HB 119, An Act granting discretionary authority to probate courts in connection with bonds of trustees.

**Engrossed. Ch. 20, Laws of 1955.**

HB 120, An Act relating to holidays.

**Engrossed. Ch. 145, Laws of 1955.**

HB 121, An Act prohibiting the sale of bows and arrows in certain cases.

**Killed.**

HB 122, An Act relative to extra pay for the police force in the city of Manchester at certain times.

**Killed.**

HB 123, An Act relative to the establishment of fishing regulations.

**Engrossed. Ch. 32, Laws of 1955.**

H.B. 124, An Act increasing the fee for registration of trade names and partnerships.

**Engrossed. Ch. 59, Laws of 1955.**

HB 125, An Act repealing a certain appropriation for the so-called children's study home.

**Killed.**

HB 126, An Act relative to brook trout.

**Engrossed. Ch. 33, Laws of 1955.**

HB 127, An Act relating to the execution of bonds of the state.

**Engrossed. Ch. 34, Laws of 1955.**

HB 128, An Act providing for the registration of plumbers.

**Killed.**

HB 129, An Act relative to the payment of poll taxes.

**Engrossed. Ch. 39, Laws of 1955.**

HB 130, An Act relating to the Sandwich Notch and Dale road in the towns of Sandwich and Thornton.

**Engrossed. Ch. 54, Laws of 1955.**

HB 131, An Act relative to false fire alarms.

**Killed.**

HB 132, An Act relative to rights of members of the communist party in this state.

**Killed.**

HB 133, An Act to increase the amount of property permitted to be held by the New Hampshire Conference Preachers' Aid Society of the Methodist Church.

**Engrossed. Ch. 392, Laws of 1955.**

HB 134, An Act to provide for the perambulation of the Maine and New Hampshire boundary line.

**Engrossed. Ch. 45, Laws of 1955.**

HB 135, An Act relating to the taxation of house trailers.

**Engrossed. Ch. 137, Laws of 1955.**

HB 136, An Act relative to school building aid.

**Engrossed. Vetoed.**

HB 137, An Act relative to the sale of spirituous liquor and beverages on election days.

**Killed.**

HB 138, An Act relative to forest fire protection and appointment of wardens.

**Engrossed. Ch. 146, Laws of 1955.**

HB 139, An Act relative to notices for meetings of the city council of Concord.

**Engrossed. Ch. 409, Laws of 1955.**

HB 140, An Act relating to the New Hampshire Veterans' Association.

**Engrossed. Ch. 441, Laws of 1955.**

HB 141, An Act relative to the appraisal of taxable property.

**Killed.**

HB 142, An Act relative to employment, suspension and dismissal of teachers.

**Killed.**

HB 143, An Act relating to taxation of insurance premiums.

**Killed.**

HB 144, An Act relative to the rate of tax on interest and dividends.

**Killed.**

HB 145, An Act relating to an equalized average income tax rate.

**Killed.**

HB 146, An Act to control motor vehicle and machinery junk yards and public dumps.

**Engrossed. Ch. 275, Laws of 1955.**

HB 147, An Act relating to the sale of investments by guardians and trustees of estates.

**Killed.**

HB 148, An Act to authorize summary procedure for judgment in actions of contract to which there is no defense.

**Engrossed. Ch. 46, Laws of 1955.**

HB 149, An Act exercising appearance for motor vehicle violations in certain cases.

**Killed.**

HB 150, An Act to authorize administration of small estates upon giving bond without sureties.

**Engrossed. Ch. 47, Laws of 1955.**

HB 151, An Act relative to illegal night hunting.

**Engrossed. Ch. 62, Laws of 1955.**

HB 152, An Act providing for advance sheets of session laws.

**Engrossed. Ch. 23, Laws of 1955.**

HB 153, An Act relating to attachments.

**Engrossed. Ch. 21, Laws of 1955.**

HB 154, An Act relating to the return of writs in superior court.

**Engrossed. Ch. 63, Laws of 1955.**

HB 155, An Act relating to the taxation of legacies and successions.

**Killed.**

HB 156, An Act to provide coverage for certain civilian employees of the national guard under the old age and survivors' insurance provisions of Title II of the Federal Social Security Act, as amended.

**Engrossed. Ch. 92, Laws of 1955.**



HB 157, An Act relative to the military rank of the adjutant-general.

**Engrossed. Ch. 55, Laws of 1955.**

HB 158, An Act relating to the commission on uniform state laws.

**Engrossed. Ch. 35, Laws of 1955.**

HB 159, An Act relative to the salary of treasurer of Rockingham county.

**Killed.**

HB 160, An Act relative to state aid for school transportation.

**Killed.**

HB 161, An Act relative to state aid to education.

**Killed.**

HB 162, An Act relative to teachers' minimum salaries.

**Killed.**

HB 163, An Act relating to taxation of life insurance companies.

**Killed.**

HB 164, An Act relating to Oyster River Cooperative School District.

**Engrossed. Ch. 394, Laws of 1955.**

HB 165, An Act relating to the non-military use of state armories.

**Engrossed. Ch. 40, Laws of 1955.**

HB 166, An Act relative to manner of driving motor vehicles.

**Killed.**

HB 167, An Act relative to expenditure of state funds on class IV compact section highways.

**Engrossed. Ch. 333, Laws of 1955.**

HB 168, An Act to coordinate development and regulatory activities relating to the peaceful use of atomic energy.

**Engrossed. Ch. 281, Laws of 1955.**

HB 169, An Act to secure the right of mortgagees in highway land damage cases.

**Engrossed. Ch. 56, Laws of 1955.**

HB 170, An Act creating a group life insurance program for state employees.

**Killed.**

HB 171, An Act relative to benefits under the Employees' Retirement System of the State of New Hampshire.

**Killed.**

HB 172, An Act relative to mileage rate for state employees using private cars.

**Engrossed. Ch. 257, Laws of 1955.**

HB 173, An Act relative to donations for highway purposes.

**Engrossed. Ch. 36, Laws of 1955.**

HB 174, An Act providing funds for highway improvement.

**Engrossed. Ch. 280, Laws of 1955.**

HB 175, An Act to prevent the interruption of municipal services and to continue good relations existing between the New Hampshire municipalities and their employees.

**Killed.**

HB 176, An Act to authorize payroll deductions on account of association and/or union dues in the state service of the state of New Hampshire with approval of the governor and council and of employees of subordinate jurisdictions of the state.

**Killed.**

HB 177, An Act relative to years of service under employees' retirement system.

**Killed.**

HB 178, An Act to provide that all state employees and employees of political subdivisions shall be subject to the provisions of unemployment compensation.

**Killed.**

HB 179, An Act to authorize the establishment of a basic work week.

**Killed.**

HB 180, An Act relative to coverage of officers and employees of the state and municipalities under the old age and survivors insurance.

**Killed.**

HB 181, An Act relative to fishing and hunting licenses for certain non-residents.

**Killed.**

HB 182, An Act relative to the use of rifles in shotgun towns.

**Killed.**

HB 183, An Act relating to satisfaction of judgments by motor vehicle owners and operators.

**Engrossed. Ch. 93, Laws of 1955.**

HB 184, An Act relative to honorary hunting and fishing licenses.

**Engrossed. Ch. 41, Laws of 1955.**

HB 185, An Act relating to officers of the state committees of political parties.

**Engrossed, Ch. 37, Laws of 1955.**

HB 186, An Act relating to fiduciary powers of trust companies and national banks.

**Killed.**

HB 187, An Act providing for giving notice of claims for damages for skiing injuries.

**Engrossed. Ch. 220, Laws of 1955.**

HB 188, An Act relative to liability under insurance policies issued to the parents of minor children.

**Killed.**

HB 189, An Act relating to the placing of fill in Great pond.

**Engrossed. Ch. 244, Laws of 1955.**

HB 190, An Act relating to discrimination because of race, creed, color, ancestry or national origin.

**Killed.**

HB 191, An Act relative to the practice of dentistry.

**Engrossed. Ch. 68, Laws of 1955.**

HB 192, An Act relative to railroad overhead bridges and underpasses and clearings of grade crossing quadrants.

**Engrossed. Ch. 147, Laws of 1955.**

HB 193, An Act relative to the care and custody of female convicts.

**Engrossed. Ch. 38, Laws of 1955.**

HB 194, An Act relating to real estate mortgages.

**Engrossed. Ch. 64, Laws of 1955.**

HB 195, An Act to provide for the giving of security by owners and operators of aircraft involved in accidents and to provide for administration thereof.

**Engrossed. Ch. 211, Laws of 1955.**

HB 196, An Act relative to foreign corporations operating motor vehicles in intrastate commerce.

**Engrossed. Ch. 101, Laws of 1955.**

HB 197, An Act relative to exemptions under motor vehicle road toll law.

**Killed.**

HB 198, An Act relative to distribution of certain assets of dissolved business corporations.

**Engrossed. Ch. 118, Laws of 1955.**

HB 199, An Act relative to competitive bidding for county purchases.

**Killed.**

HB 200, An Act relative to the powers of the board of medical examiners.

**Engrossed. Ch. 169, Laws of 1955.**

HB 201, An Act relative to the fees of medical referees.

**Engrossed. Ch. 123, Laws of 1955.**

HB 202, An Act relative to forfeiture of devices used for illegal night hunting.

**Engrossed. Ch. 48, Laws of 1955.**

HB 203, An Act relative to domestic animals killed or wounded by hunters.

**Killed.**

HB 204, An Act providing for the development of Concord Lake Project.

**Engrossed. Ch. 313, Laws of 1955.**

HB 205, An Act relating to the authority of the surveyor of the city of Manchester.

**Killed.**

HB 206, An Act relating to the charter of the city of Portsmouth.

**Engrossed. Ch. 417, Laws of 1955.**

HB 207, An Act relative to unemployment compensation for employees of the state and of political subdivisions and instrumentalities thereof.

**Legislative Council.**

HB 208, An Act to permit welfare medical payments from working capital.

**Killed.**

HB 209, An Act relating to School Superintendents in the State Employees' Retirement System.

**Empressed. Ch. 161, Laws of 1955.**

HB 210, An Act relative to vacations for employees of the city of Manchester.

**Engrossed. Ch. 451, Laws of 1955.**

HB 211, An Act relating to check lists and party enrollment.

**Killed.**

HB 212, An Act relative to sidewalk vendors.

**Killed.**

HB 213, An Act relating to school attendance.

**Killed.**



HB 214, An Act relative to requirements of financial responsibility after judgment of court.

**Engrossed. Ch. 164, Laws of 1955.**

HB 215, An Act relative to the posting of land adjacent to woodlands.

**Engrossed. Ch. 176, Laws of 1955.**

HB 216, An Act relative to jurisdiction of motor vehicle laws.

**Killed.**

HB 217, An Act relative to prior service credits for state officials and employees.

**Engrossed. Ch. 202, Laws of 1955.**

HB 218, An Act relative to the posting of land.

**Engrossed. Ch. 165, Laws of 1955.**

HB 219, An Act relative to elk.

**Engrossed. Ch. 43, Laws of 1955.**

HB 220, An Act relating to compensation for the board of registrars in the city of Portsmouth.

**Engrossed. Ch. 419, Laws of 1955.**

HB 221, An Act relating to real estate brokers and salesmen.

**Killed.**

HB 222, An Act relative to the manner of conducting elections.

**Killed.**

HB 223, An Act to simplify requirements for absentee voting.

**Engrossed. Ch. 307, Laws of 1955.**

HB 224, An Act relating to motor vehicle financial responsibility.

**Engrossed. Ch. 76, Laws of 1955.**

HB 225, An Act relative to repeal of motor vehicle liability bond provisions.

**Engrossed. Ch. 94, Laws of 1955.**

HB 226, An Act relative to bids and contracts for state printing and binding.

**Killed.**

HB 227, An Act relative to issuance of special wholesaler's permit under the alcoholic beverage laws.

**Killed.**

HB 228, An Act relating to the board of registrars in the city of Portsmouth.

**Engrossed. Ch. 420, Laws of 1955.**

HB 229, An Act relative to the authority of the public utilities commission.

**Killed.**

HB 230, An Act relative to the incontestability of a tax deed.

**Killed.**

HB 231, An Act relating to the qualifications of members of the public utilities commission.

**Killed.**

HB 232, An Act relative to compensation of appeal tribunal and advisory council members under the unemployment compensation law.

**Engrossed. Ch. 77, Laws of 1955.**

HB 233, An Act relating to the liability for payment of poll taxes.

**Killed.**

HB 234, An Act to increase the salary of the justice of the Nashua municipal court.

**Killed.**

HB 235, An Act relating to licenses for games of beano.

**Killed.**

HB 236, An Act relative to parents' liability to children.

**Killed.**

HB 237, An Act relative to the unemployment compensation law.

**Engrossed. Ch. 141, Laws of 1955.**

HB 238, An Act providing for statements in connection with nolle prosequi of prosecution.

**Killed.**

HB 239, An Act relative to the police of the city of Franklin.

**Killed.**

HB 240, An Act relative to reckless and careless operation of motor vehicles.

**Engrossed. Ch. 109, Laws of 1955.**

HB 241, An Act relative to keeping motor vehicles free from obstructions of ice and snow.

**Engrossed. Ch. 336, Laws of 1955.**

HB 242, An Act relative to outside rear vision mirrors on motor vehicles.

**Killed.**

HB 243, An Act relative to requirement for use of so-called mud flaps on certain motor vehicles.

**Engrossed. Ch. 110, Laws of 1955.**

HB 244, An Act relative to minimum speed regulation of motor vehicles.

**Engrossed. Ch. 119, Laws of 1955.**

HB 245, An Act dividing Grafton county into commissioner districts.

**Engrossed. Ch. 261, Laws of 1955.**

HB 246, An Act dividing Grafton county into commissioner districts.

**Killed.**

HB 247, An Act relative to the salary of the sheriff of Grafton county.

**Killed.**

HB 248, An Act relative to perpetual inventory records and the transfer of unused supplies and equipment.

**Engrossed. Ch. 67, Laws of 1955.**

HB 249, An Act relative to the New Hampshire shore and beach preservation commission.

**Engrossed. Ch. 250, Laws of 1955.**

HB 250, An Act relative to the forestry and recreation insurance coverage.

**Killed.**

HB 251, An Act relative to protection of illegitimate children.

**Killed.**

HB 252, An Act relative to prerequisites for burial permits.

**Engrossed. Ch. 95, Laws of 1955.**

HB 253, An Act requiring causes of death to be printed or typed on certificates of death.

**Killed.**

HB 254, An Act relative to a report of birth.

**Engrossed. Ch. 148, Laws of 1955.**

HB 255, An Act providing for state participation in water pollution control costs through financial aid to municipalities.

**Legislative Council.**

HB 256, An Act relative to class III recreational roads.

**Killed.**

HB 257, An Act relative to the change of designation of the deputy director of recreation and to the salary of said office.

**Engrossed. Ch. 321, Laws of 1955.**

HB 258, An Act relative to expiration date of trapping licenses.

**Killed.**

HB 259, An Act relating to unfair competition in the sale of motor fuels.

**Killed.**

HB 260, An Act relative to sales and use tax for raising public money.

**Killed.**

HB 261, An Act relative to prohibited interests by wholesalers of beverages.

**Killed.**

HB 262, An Act to assist needy school districts and improve education.

**Killed.**

HB 263, An Act relative to rights of way established by prescription or adverse possession.

**Killed.**

HB 264, An Act relating to escape from state prison.

**Killed.**

HB 265, An Act relative to municipal budget committee and its powers and duties.

**Killed.**

HB 266, An Act relating to transportation of school children.

**Killed.**

HB 267, An Act to establish a motor vehicle law appeals commission.

**Killed.**

HB 268, An Act relative to service exemptions for veterans.

**Killed.**

HB 269, An Act relative to the federal soil conservation and domestic allotment act.

**Engrossed. Ch. 85, Laws of 1955.**

HB 270, An Act relative to the taking of lake trout.

**Killed.**

HB 271, An Act to equalize educational opportunities and to improve the public elementary and high schools of New Hampshire.

**Engrossed. Ch. 331, Laws of 1955.**

HB 272, An Act relative to sale of pheasants for resale.

**Engrossed. Ch. 87, Laws of 1955.**

HB 273, An Act relative to school studies.

**Killed.**

HB 274, An Act relating to the sale of unlicensed dogs by humane societies.

**Engrossed. Ch. 84, Laws of 1955.**



HB 275, An Act relative to taking deer.

**Killed.**

HB 276, An Act to regulate the practice of professional engineering.

**Engrossed. Ch. 124, Laws of 1955.**

HB 277, An Act relative to the storing of explosives.

**Engrossed. Ch. 190, Laws of 1955.**

HB 278, An Act relative to a small game license for Coos county.

**Engrossed. Ch. 105, Laws of 1955.**

HB 279, An Act relative to the fees for sealing and stamping beaver skins.

**Engrossed. Ch. 57, Laws of 1955.**

HB 280, An Act providing for a bounty on fox.

**Killed.**

HB 281, An Act relative to field trials for dogs.

**Engrossed. Ch. 78, Laws of 1955.**

HB 282, An Act relative to the repeal of the school per capita tax.

**Killed.**

HB 283, An Act relative to the charter of the Dartmouth Savings Bank at Hanover.

**Engrossed. Ch. 405, Laws of 1955.**

HB 284, An Act relative to the definition of group life insurance.

**Engrossed. Ch. 79, Laws of 1955.**

HB 285, An Act relative to the construction of a new library building and the remodeling of the present library building for instructional purposes at the University of New Hampshire, and to be liquidated from income.

**Engrossed. Ch. 212, Laws of 1955.**

HB 286, An Act establishing plant and seed certification.

**Engrossed. Ch. 83, Laws of 1955.**

HB 287, An Act relative to payment of expenses of town common trust funds.

**Killed.**

HB 288, An Act relative to the open season for taking fur-bearing animals.

**Engrossed. Ch. 65, Laws of 1955.**

HB 289, An Act providing a time when residents only may take wild deer.

**Killed.**

HB 290, An Act banning all motorboating on all reclaimed trout ponds.

**Killed.**

HB 291, An Act relative to use of outboard motors for fishing on reclaimed trout ponds.

**Killed.**

HB 292, An Act relative to trolling with large spinners in reclaimed ponds.

**Engrossed. Ch. 106, Laws of 1955.**

HB 293, An Act providing penalties for throwing refuse on public waters and lands bordering the same.

**Engrossed. Ch. 170, Laws of 1955.**

HB 294, An Act relating to defamation by radio or television.

**Killed.**

HB 295, An Act relative to re-examination of holders of licenses to operate motor vehicles.

**Engrossed. Ch. 294, Laws of 1955.**

HB 296, An Act establishing a board of fire commissioners for the city of Laconia.

**Engrossed. Ch. 440, Laws of 1955.**

HB 297, An Act making certain records relative to race meets available to the public.

**Killed.**

HB 298, An Act relative to the salaries of the Strafford county commissioners.

**Killed.**

HB 299, An Act relative to the definition of the term "employment" under the federal old-age and survivors' insurance act.

**Killed.**

HB 300, An Act relative to membership of county employees in the employees' retirement system.

**Killed.**

HB 301, An Act to provide for notice when a highway running between two towns is discontinued.

**Engrossed. Ch. 107, Laws of 1955.**

HB 302, An Act relative to fees for stamping beaver skins.

**Killed.**

HB 303, An Act providing for an income tax.

**Killed.**

HB 304, An Act naming the Governor Wentworth Highway.

**Engrossed. Ch. 138, Laws of 1955.**

HB 305, An Act relative to registration of voters in Ward 2 of the city of Concord.

**Engrossed. Ch. 400, Laws of 1955.**

HB 306, An Act relative to the salary of the Strafford County Solicitor.

**Killed.**

HB 307, An Act to increase the salary of the Hillsborough County Commissioners.

**Engrossed. Ch. 269, Laws of 1955.**

HB 308, An Act relative to membership of the water pollution commission.

**Engrossed. Ch. 96, Laws of 1955.**

HB 309, An Act relative to the licensing of dogs.

**Killed.**

HB 310, An Act relative to computation of benefits under the firemen's retirement system.

**Killed.**

HB 311, An Act relative to the construction of a dormitory for women at the University of New Hampshire, and to be liquidated from income.

**Engrossed. Ch. 174, Laws of 1955.**

HB 312, An Act relating to interstate compact on juveniles.

**Engrossed. Ch. 121, Laws of 1955.**

HB 313, An Act relative to mileage allowances for members of the general court.

**Killed.**

HB 314, An Act to provide for the installation of windshields and tops on track motor cars operated by railroads.

**Killed.**

HB 315, An Act relative to salary of Coos county solicitor.

**Killed.**

HB 316, An Act licensing bulk milk collector tank drivers and concerns operating bulk milk collector tank routes in New Hampshire.

**Engrossed. Ch. 86, Laws of 1955.**

HB 317, An Act relative to minimum prices and regulation of hours in barber shops.

**Killed.**

HB 318, An Act to amend the religious corporations law in relation to the incorporation of Orthodox parishes.

**Engrossed. Ch. 88, Laws of 1955.**

HB 319, An Act relative to wild bear.

**Killed.**

HB 320, An Act authorizing the town of Newport to fund or refund its indebtedness.

**Engrossed. Ch. 410, Laws of 1955.**

HB 321, An Act to increase the borrowing power of the Central Hooksett Water Precinct.

**Engrossed. Ch. 412, Laws of 1955.**

HB 322, An Act to change allocation of funds from inspections in the department of agriculture.

**Engrossed. Ch. 241, Laws of 1955.**

HB 323, An Act relative to killing self hunting dogs.

**Killed.**

HB 324, An Act providing for a one per cent sales and use tax for education and to increase state funds.

**Killed.**

HB 325, An Act providing bonus benefits to certain veterans of the Korean conflict with racing fund contributions.

**Killed.**

HB 326, An Act relative to the construction or alteration of highways, and the assessment of highway construction damages.

**Killed.**

HB 327, An Act to provide state aid for nursing education.

**Referred to the 1957 General Court.**

HB 328, An Act to change the name of the nurse examiners and to increase the fees for nurse registration.

**Engrossed. Ch. 306, Laws of 1955.**

HB 329, An Act relative to disabled veterans.

**Engrossed. Ch. 283, Laws of 1955.**

HB 330, An Act relative to absentee voting.

**Killed.**

HB 331, An Act relative to protection of public water supply.

**Engrossed. Ch. 245, Laws of 1955.**

HB 332, An Act relative to the payment of poll and head taxes.

**Engrossed. Ch. 125, Laws of 1955.**

HB 333, An Act relative to workmen's compensation.

**Referred to 1957 General Court.**

HB 334, An Act relative to the observance of the memory of General Lafayette.

**Engrossed. Ch. 126, Laws of 1955.**

HB 335, An Act to change the fees for the licenses and permits of practical nurses.

**Engrossed. Ch. 207, Laws of 1955.**

HB 336, An Act relative to residence of officers and directors of savings banks and building and loan associations.

**Killed.**



HB 337, An Act increasing the membership of the fish and game commission, and relating to the terms of the fish and game director.

**Engrossed. Ch. 251, Laws of 1955.**

HB 338, An Act relative to fish and game commission.

**Killed.**

HB 339, An Act relative to taking otter during open season for taking beaver.

**Engrossed. Ch. 97, Laws of 1955.**

HB 340, An Act to prevent the destruction of the New Hampshire elk.

**Killed.**

HB 341, An Act relative to payment of tuition of high school pupils.

**Engrossed. Ch. 166, Laws of 1955.**

HB 342, An Act relative to the pay of the national guard.

**Engrossed. Ch. 127, Laws of 1955.**

HB 343, An Act relative to state employees' group life insurance.

**Killed.**

HB 344, An Act authorizing purchase of group term life insurance covering state employees.

**Killed.**

HB 345, An Act relating to absentee voting at biennial election in Berlin.

**Engrossed. Ch. 458, Laws of 1955.**

HB 346, An Act changing the effective date of the classification of certain waters of the Piscataquog river and its tributaries.

**Killed.**

HB 347, An Act relative to the licensing, inspection and regulation of hospitals and related institutions.

**Killed.**

HB 348, An Act relative to the minimum wage law.

**Killed.**

HB 349, An Act relative to hourly wage for employees.  
**Engrossed. Ch. 288, Laws of 1955.**

HB 350, An Act relative to workmen's compensation.  
**Engrossed. Ch. 98, Laws of 1955.**

HB 351, An Act relative to the weight of ice cream.  
**Killed.**

HB 352, An Act relative to the licensing of auctioneers.  
**Killed.**

HB 353, An Act relating to extended coverage in policies of liability insurance.

**Engrossed. Ch. 128, Laws of 1955.**

HB 354, An Act providing for released time from school attendance for religious education.

**Killed.**

HB 355, An Act relating to the assessment of the expenses of the public utilities commission against certain public utilities.

**Engrossed. Ch. 203, Laws of 1955.**

HB 356, An Act relative to tax on the sale of cigarettes and on the sale of tobacco products.

**Killed.**

HB 357, An Act relating to appropriations for the University of New Hampshire.

**Killed.**

HB 358, An Act relative to fees for business, voluntary and foreign corporations.

**Engrossed. Ch. 171, Laws of 1955.**

HB 359, An Act relative to maintenance of the Hooksett village bridge in the town of Hooksett.

**Killed.**

HB 360, An Act relative to fishing in small brooks and lakes after same have been stocked.

**Killed.**

HB 361, An Act relative to taxes in unincorporated places.  
**Engrossed. Ch. 224, Laws of 1955.**

HB 362, An Act relative to dredging Hampton Harbor, protection of shore at Boar's Head in the town of Hampton, and a study of seacoast erosion problems.

**Engrossed. Ch. 265, Laws of 1955.**

HB 363, An Act relative to pedestrians and to dimming lights on motor vehicles, and trailer break away safety chains on trailers.

**Engrossed. Ch. 295, Laws of 1955.**

HB 364, An Act relating to cropping dogs' ears.

**Engrossed. Ch. 129, Laws of 1955.**

HB 365, An Act relative to taxation in Pittsburgh and Clarksville.

**Engrossed. Ch. 327, Laws of 1955.**

HB 366, An Act providing for special fund for certain printing by planning and development commission.

**Killed.**

HB 367, An Act to change classification of a road in the town of Milan.

**Killed.**

HB 368, An Act extending the powers of the Plymouth Village Fire District.

**Engrossed. Ch. 411, Laws of 1955.**

HB 369, An Act to establish the rights and qualifications of non-resident real estate owners to vote.

**Referred to Judicial Council.**

HB 370, An Act relative to trespass and theft of forest growth.

**Killed.**

HB 371, An Act relative to borrowing by the Campton Village Precinct.

**Engrossed. Ch. 393, Laws of 1955.**

HB 372, An Act relative to special motor vehicle number plates for members of the General Court and certain law enforcement officers.

**Engrossed. Ch. 28, Laws of 1955.**

HB 373, An Act relative to taxation of certain personal property.

**Killed.**

HB 374, An Act establishing a division of appraisals within the department of the tax commission.

**Engrossed. Ch. 246, Laws of 1955.**

HB 375, An Act establishing a state revenue-raising pool.

**Killed.**

HB 376, An Act increasing racing funds for state aid to education.

**Killed.**

HB 377, An Act relative to taxes and fees for insurance companies.

**Killed.**

HB 378, An Act authorizing the licensing of greyhound racing on which the pari mutuel system of wagering shall be permitted.

**Killed.**

HB 379, An Act relative to service exemption for veterans.

**Engrossed. Ch. 289, Laws of 1955.**

HB 380, An Act providing for liens in favor of hospitals.

**Engrossed. Ch. 276, Laws of 1955.**

HB 381, An Act providing for establishment of salaries of the sheriffs of the several counties by the superior court.

**Killed.**

HB 382, An Act relative to cooperative school districts.

**Engrossed. Ch. 334, Laws of 1955.**

HB 383, An Act relative to the distribution of property to legatees, distributees or beneficiaries outside the United States.

**Engrossed. Ch. 149, Laws of 1955.**

HB 384, An Act relative to election of certain officers of the city of Rochester.

**Engrossed. Ch. 413, Laws of 1955.**

HB 385, An Act relative to the disposition of fines.

**Engrossed. Ch. 120, Laws of 1955.**

HB 386, An Act relative to forms for collection of bounties.  
**Killed.**

HB 387, An Act relative to the bag limit for horned pout.  
**Engrossed. Ch. 102, Laws of 1955.**

HB 388, An Act prohibiting hunting on Sunday.  
**Killed.**

HB 389, An Act relative to employment of minors under liquor and beverage laws.  
**Killed.**

HB 390, An Act establishing the office of public defender.  
**Referred to the Judicial Council.**

HB 391, An Act relative to liens on real estate for payment of certain taxes.  
**Killed.**

HB 392, An Act relative to appointment of fish and game director.  
**Killed.**

HB 393, An Act relative to compulsory motor vehicle liability insurance.  
**Killed.**

HB 394, An Act relative to annual reports by small loan licensees.  
**Engrossed. Ch. 99, Laws of 1955.**

HB 395, An Act relative to carrying concealed pistols and revolvers.  
**Killed.**

HB 396, An Act relative to the use of flashing red lights or red beacons on motor vehicles.  
**Engrossed. Ch. 217, Laws of 1955.**

HB 397, An Act to establish a comfort station at Little Boar's Head at Hampton Beach.  
**Engrossed. Ch. 266, Laws of 1955.**

HB 398, An Act relative to civil defense.  
**Engrossed. Ch. 218, Laws of 1955.**



HB 399, An Act relative to the construction and inspection of public buildings.

**Engrossed. Ch. 191, Laws of 1955.**

HB 400, An Act relative to state owned parking areas at Hampton Beach.

**Engrossed. Ch. 221, Laws of 1955.**

HB 401, An Act to change the method of appointment of members of the New Hampshire commissioners of the North-eastern Forest Fire Commission.

**Engrossed. Ch. 222, Laws of 1955.**

HB 402, An Act relating to the taxation of the proceeds of life insurance.

**Killed.**

HB 403, An Act relating to the preservation of private business records and to make uniform the law with reference thereto.

**Engrossed. Ch. 192, Laws of 1955.**

HB 404, An Act relative to real estate investments of building and loan associations.

**Engrossed. Ch. 131, Laws of 1955.**

HB 405, An Act extending certain aeronautical appropriations.

**Engrossed. Ch. 236, Laws of 1955.**

HB 406, An Act relative to porcupines.

**Engrossed. Ch. 238, Laws of 1955.**

HB 407, An Act relative to open season for taking partridge.

**Killed.**

HB 408, An Act relating to duties of support and to make uniform the laws with reference thereto.

**Engrossed. Ch. 206, Laws of 1955.**

HB 409, An Act relative to sanitary facilities at stations of railroad and terminal corporations.

**Killed.**

HB 410, An Act relative to the use and display of the state flag.

**Engrossed. Ch. 305, Laws of 1955.**

HB 411, An Act to provide for absentee voting at primaries.

**Legislative Council.**

HB 412, An Act relative to the suppression of forest pests.

**Killed.**

HB 413, An Act relative to the payment of motor road tolls by counties, and reports to the motor vehicle commissioner on sale of motor fuel for boats.

**Engrossed. Ch. 193, Laws of 1955.**

HB 414, An Act changing the spelling of the name of the town of Moultonborough to Moultonboro.

**Killed.**

HB 415, An Act relative to neglect of husband or father to support wife and children and neglect of mother.

**Engrossed. Ch. 262, Laws of 1955.**

HB 416, An Act relating to insane persons.

**Engrossed. Ch. 177, Laws of 1955.**

HB 417, An Act relative to the sale of horned pout for resale.

**Engrossed. Ch. 277, Laws of 1955.**

HB 418, An Act relative to share or share account limits of building and loan associations.

**Engrossed. Ch. 139, Laws of 1955.**

HB 419, An Act providing for so-called daylight saving time throughout the entire year.

**Killed.**

HB 420, An Act relative to Totten trusts.

**Engrossed. Ch. 319, Laws of 1955.**

HB 421, An Act providing for taxation of fraternal and non-profit insurance organizations.

**Killed.**

HB 422, An Act to provide for the observance of certain legal holidays.

**Killed.**

HB 423, An Act relative to unsecured loans of building and loan associations.

**Engrossed. Ch. 140, Laws of 1955.**

HB 424, An Act creating an industrial development authority.

**Engrossed. Ch. 267, Laws of 1955.**

HB 425, An Act relative to the taxation of growing wood and timber.

**Killed.**

HB 426, An Act providing for a veterans' memorial to be erected at the Weirs.

**Legislative Council.**

HB 427, An Act relative to the ward lines of the wards of the city of Dover.

**Engrossed. Ch. 431, Laws of 1955.**

HB 428, An Act relative to the powers of the credit committee of credit unions.

**Engrossed. Ch. 150, Laws of 1955.**

HB 429, An Act relative to loans of credit unions.

**Engrossed. Ch. 213, Laws of 1955.**

HB 430, An Act relative to orders of mayor and aldermen or selectmen for muzzling and restraining dogs.

**Engrossed. Ch. 117, Laws of 1955.**

HB 431, An Act relating to tax exemption for institutions, societies and corporations not organized, incorporated, conducted, or operated principally for the benefit of New Hampshire residents.

**Engrossed. Ch. 157, Laws of 1955.**

HB 432, An Act relative to returns filed with the tax commission under taxation of incomes.

**Killed.**

HB 433, An Act relative to legalizing certain proceedings at the Exeter town meeting, March 8, 1955.

**Engrossed. Ch. 401, Laws of 1955.**

HB 434, An Act to legalize a certain vote at the 1955 meeting in the town of Littleton.

**Engrossed. Ch. 402, Laws of 1955.**

HB 435, An Act relative to the establishment of a training program for practical nurses at the state technical institutes.

**Referred to the 1957 General Court.**

HB 436, An Act providing for the sale of wines by grocery stores.

**Killed.**

HB 437, An Act relative to hunting wild bear.

**Killed.**

HB 438, An Act relating to group life insurance for share holders in credit unions.

**Engrossed. Ch. 195, Laws of 1955.**

HB 439, An Act relative to Alexander Cemetery Association.

**Engrossed. Ch. 425, Laws of 1955.**

HB 440, An Act relative to the Laconia state school.

**Engrossed. Ch. 314, Laws of 1955.**

HB 441, An Act relative to salaries for members of the trustees of trust funds for the city of Portsmouth.

**Engrossed. Ch. 418, Laws of 1955.**

HB 442, An Act relative to minimum wages of employees in public works.

**Killed.**

HB 443, An Act to legalize the annual meeting of the Bristol School District.

**Engrossed. Ch. 403, Laws of 1955.**

HB 444, An Act legalizing the annual meeting in the town of Atkinson.

**Engrossed. Ch. 404, Laws of 1955.**

HB 445, An Act relating to governmental securities under the sale of securities act.

**Killed.**

HB 446, An Act relative to members of the county convention who are not members of the legislature.

**Engrossed. Ch. 111, Laws of 1955.**

HB 447, An Act amending the charter of the city of Claremont.

**Engrossed. Ch. 428, Laws of 1955.**

HB 448, An Act relating to the appeal board in public construction contracts, providing for a deputy labor commissioner and relative to board of arbitration, and increasing the salary of the deputy state treasurer.

**Engrossed. Ch. 323, Laws of 1955.**

HB 449, An Act relative to insertion of names of veterans on check-lists.

**Engrossed. Ch. 198, Laws of 1955.**

HB 450, An Act relative to non-resident fishing licenses.

**Engrossed. Ch. 324, Laws of 1955.**

HB 451, An Act relative to the salary of the solicitor of Merrimack County.

**Killed.**

HB 452, An Act relative to bread enrichment and oleo-margarine.

**Engrossed. Ch. 151, Laws of 1955.**

HB 453, An Act relating to the disposition of unclaimed property and making uniform the law with reference thereto.

**Killed.**

HB 454, An Act relating to building reserve and school-houses of the former Lee School District.

**Engrossed. Ch. 446, Laws of 1955.**

HB 455, An Act to repeal the classification of Little Sugar river under water pollution provisions.

**Killed.**



HB 456, An Act relative to wholesalers and retailers of beverages.

**Killed.**

HB 457, An Act providing for a study of the jurisdiction of municipal courts or district courts.

**Engrossed. Ch. 335, Laws of 1955.**

HB 458, An Act relating to regular sessions of the Hillsborough county probate court.

**Engrossed. Ch. 152, Laws of 1955.**

HB 459, An Act relative to unemployment compensation successorship mermit rating for public utilities.

**Killed.**

HB 460, An Act legalizing the annual meeting of the Lyndeborough school district.

**Engrossed. Ch. 414, Laws of 1955.**

HB 461, An Act providing for the registration of electricians.

**Killed.**

HB 462, An Act relating to investments of savings banks.

**Engrossed. Ch. 214, Laws of 1955.**

HB 463, An Act providing for the election of public utilities commissioners.

**Killed.**

HB 464, An Act relating to the number of lives covered by group life insurance.

**Engrossed. Ch. 300, Laws of 1955.**

HB 465, An Act relative to elections for Union School District in the city of Keene.

**Killed.**

HB 466, An Act relating to transportation of school children and operators of school buses.

**Engrossed. Ch. 204, Laws of 1955.**

HB 467, An Act relative to certain so-called comic books.  
**Legislative Council.**

HB 468, An Act relative to old age and survivors' insurance coverage and the administration thereof.

**Engrossed. Ch. 332, Laws of 1955.**

HB 469, An Act legalizing the proceedings at the annual town meeting in Colebrook.

**Engrossed. Ch. 407, Laws of 1955.**

HB 470, An Act relative to ward lines of the city of Keene.  
**Killed.**

HB 471, An Act establishing certain positions at the state hospital.

**Engrossed. Ch. 153, Laws of 1955.**

HB 472, An Act relative to membership of the Fish and Game Commission.

**Killed.**

HB 473, An Act relative to erection of so-called historical signs.

**Engrossed. Ch. 199, Laws of 1955.**

HB 474, An Act relative to lay out of class I and II highways and assessment of damages.

**Killed.**

HB 475, An Act relative to salaries of various Belknap, Cheshire, Coos, Grafton, Hillsborough, Merrimack, and Strafford counties.

**Engrossed. Ch. 247, Laws of 1955.**

HB 476, An Act legalizing certain district meetings of the Alton School District.

**Engrossed. Ch. 408, Laws of 1955.**

HB 477, An Act relating to the working capital.

**Killed.**

HB 478, An Act relative to board of veterinary examiners and qualifications for veterinary licenses.

**Engrossed. Ch. 154, Laws of 1955.**

HB 479, An Act requiring certificates to be filed by selectmen with tax commission to be used in determining average rate of taxation.

**Engrossed. Ch. 155, Laws of 1955.**

HB 480, An Act relative to counsel fees under unemployment compensation cases.

**Killed.**

HB 481, An Act legalizing the proceedings of the village district meeting of North Walpole on March 20, 1950.

**Engrossed. Ch. 398, Laws of 1955.**

HB 482, An Act legalizing the annual meeting in the town of Canterbury.

**Engrossed. Ch. 421, Laws of 1955.**

HB 483, An Act legalizing the proceedings of the Camp-ton Village Precinct meeting held on March 29, 1955.

**Engrossed. Ch. 437, Laws of 1955.**

HB 484, An Act relative to election for the city of Keene.

**Engrossed. Ch. 459, Laws of 1955.**

HB 485, An Act relative to evidence of value for determination of taxation of railroads and public utilities.

**Engrossed. Ch. 225, Laws of 1955.**

HB 486, An Act relative to painting on construction work.

**Killed.**

HB 487, An Act legalizing the annual meeting in the town of Acworth.

**Engrossed. Ch. 422, Laws of 1955.**

HB 488, An Act relative to transfer of certificates and permits under motor carrier act.

**Killed.**

HB 489, An Act relative to registration and re-registration of partnerships.

**Engrossed. Ch. 284, Laws of 1955.**

HB 490, An Act finding a communist conspiracy in existence and declaring the Communist Party of the United States, including its local components in the state, illegal.

**Judicial Council.**

HB 491, An Act relative to the Franklin Veterans' Home Association.

**Engrossed. Ch. 447, Laws of 1955.**

HB 492, An Act to authorize the school district of Litchfield to exceed its bonded indebtedness.

**Engrossed. Ch. 423, Laws of 1955.**

HB 493, An Act relative to tax exemption for certain installations controlling the disposal of industrial wastes.

**Engrossed. Ch. 196, Laws of 1955.**

HB 494, An Act relative to sufficiency of notices and limitation of action for recovery of support.

**Killed.**

HB 495, An Act relative to fees for counsel assigned by court in certain cases.

**Engrossed. Ch. 215, Laws of 1955.**

HB 496, An Act relative to the establishment of soil conservation districts.

**Engrossed. Ch. 239, Laws of 1955.**

HB 497, An Act establishing a charter for the city of Manchester.

**Killed.**

HB 498, An Act establishing a run-off primary.

**Killed.**

HB 499, An Act to increase the borrowing power of the Goffstown Village Precinct and legalize the proceedings of its annual meeting of March 1, 1955.

**Engrossed. Ch. 426, Laws of 1955.**

HB 500, An Act providing for the acquisition of certain dams and water rights by the water resources board.

**Engrossed. Ch. 325, Laws of 1955.**

HB 501, An Act authorizing the town of Hudson to fund or refund certain indebtedness.

**Engrossed. Ch. 438, Laws of 1955.**

HB 502, An Act relative to the salary of the sheriff of Coos county.

**Engrossed. Ch. 172, Laws of 1955.**

HB 503, An Act relative to funds for development of the Port of Portsmouth.

**Engrossed. Ch. 173, Laws of 1955.**

HB 504, An Act relative to secondary state highway system.

**Killed.**

HB 505, An Act to repeal charters of certain corporations.  
**Engrossed. Ch. 448, Laws of 1955.**

HB 506, An Act relative to the salary of the justice of the Keene municipal court.

**Engrossed. Ch. 182, Laws of 1955.**

HB 507, An Act relative to mileage allowances for members of the general court who work on non-legislative days.

**Engrossed. Ch. 156, Laws of 1955.**

HB 508, An Act relative to mileage allowances for legislative officers and employees.

**Engrossed. Ch. 132, Laws of 1955.**

HB 509, An Act relating to deposits by the state treasurer.

**Engrossed. Ch. 248, Laws of 1955.**

HB 510, An Act relative to the taxation of saving banks, trust companies, building and loan associations, credit unions and other similar corporations.

**Killed.**

HB 511, An Act relative to change of classification of road in the town of Gilmanton.

**Engrossed. Ch. 194, Laws of 1955.**

HB 512, An Act relative to immunity of witnesses under subversive investigations.

**Killed.**

HB 513, An Act relative to fees for inspections and sealing of weighing and measuring devices.

**Engrossed. Ch. 240, Laws of 1955.**

HB 514, An Act legalizing the annual meeting in the town of Springfield.

**Engrossed. Ch. 427, Laws of 1955.**

HB 515, An Act relative to transfer of liquor licenses and beverage permits to clubs in certain cases.

**Engrossed. Ch. 249, Laws of 1955.**



HB 516, An Act relative to powers and duties of the town of Littleton and repealing the charter of the Littleton Village District.

**Engrossed. Ch. 442, Laws of 1955.**

HB 517, An Act making appropriation and long term repairs for the state of New Hampshire.

**Engrossed. Ch. 337, Laws of 1955.**

HB 518, An Act relative to purchase of motor vehicles for the use of the state.

**Killed.**

HB 519, An Act relative to the practice of dentistry.

**Engrossed. Ch. 130, Laws of 1955.**

HB 520, An Act changing the name of Claremont Building and Loan Association to Claremont Cooperative Bank.

**Engrossed. Ch. 429, Laws of 1955.**

HB 521, An Act relative to the appointment of the members of the taxation commission.

**Killed.**

HB 522, An Act relative to solicitation and collection of funds for charitable purposes.

**Legislative Council.**

HB 523, An Act relative to the definitions of the word beverage.

**Engrossed. Ch. 216, Laws of 1955.**

HB 524, An Act relative to fees for liquor licenses for clubs and hotels.

**Killed.**

HB 525, An Act empowering the public utilities commission to bargain with the New York Power Authority.

**Engrossed. Ch. 237, Laws of 1955.**

HB 526, An Act relative to the distribution of copies of the Revised Statutes Annotated to members of the General Court.

**Engrossed. Ch. 285, Laws of 1955.**

HB 527, An Act relative to sales of armories.

**Engrossed. Ch. 252, Laws of 1955.**

HB 528, An Act relating to sewer bonds of the town of Meredith.

**Engrossed. Ch. 439, Laws of 1955.**

HB 529, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1956.

**Engrossed. Ch. 338, Laws of 1955.**

HB 530, An Act making appropriations for the expenses of certain departments of the state for the year ending June 30, 1957.

**Engrossed. Ch. 339, Laws of 1955.**

HB 531, An Act relative to the salary of the associate justice of the Somersworth municipal court.

**Engrossed. Ch. 253, Laws of 1955.**

HB 532, An Act to provide for cumulative pocket supplements to Revised Statutes Annotated.

**Engrossed. Ch. 278, Laws of 1955.**

HB 533, An Act to establish a new apportionment for the assessment of public taxes.

**Killed.**

HB 534, An Act legalizing certain meetings of the town of Seabrook.

**Engrossed. Ch. 450, Laws of 1955.**

HB 535, An Act relative to jurisdiction of the United States over land within New Hampshire.

**Engrossed. Ch. 223, Laws of 1955.**

HB 536, An Act modifying the employees' retirement system of the state of New Hampshire and correlating its benefits with federal old-age and survivors' insurance benefits.

**Engrossed. Ch. 301, Laws of 1955.**

HB 537, An Act to revise the charter of the city of Concord.

**Killed.**

HB 538, An Act relating to the Union School District of Keene.

**Engrossed. Ch. 456, Laws of 1955.**

HB 539, An Act authorizing the Merrimack Village District to issue bonds and notes and relative to appeals before municipal courts.

**Engrossed. Ch. 242, Laws of 1955.**

HB 540, An Act authorizing the Merrimack Village District to issue bonds or notes and relative to appeals before municipal courts.

**Engrossed. Ch. 322, Laws of 1955.**

HB 541, An Act making temporary appropriations for the expenses of the state of New Hampshire for the month of July, 1955.

**Engrossed. Ch. 229, Laws of 1955.**

HB 542, An Act providing additional retirement benefits for Harry L. Hurlbert.

**Killed.**

HB 543, An Act relative to compensation of legislative employees.

**Engrossed. Ch. 290, Laws of 1955.**

HB 544, An Act relative to the salary of the justice of the Claremont municipal court.

**Engrossed. Ch. 279, Laws of 1955.**

HB 545, An Act relating to the salary of the justice of the Newport municipal court.

**Engrossed. Ch. 296, Laws of 1955.**

## HOUSE JOINT RESOLUTIONS

HJR 1, Joint Resolution in favor of Harry J. Ring.

**Engrossed. Ch. 347, Laws of 1955.**

HJR 2, Joint Resolution relative to continued duties of the attorney general.

**Engrossed. Ch. 340, Laws of 1955.**

HJR 3, Joint Resolution in favor of Richard W. Detscher.

**Killed.**

HJR 4, Joint Resolution relative to a study of multiple use of the Lake Massabesic region.

**Engrossed. Ch. 368, Laws of 1955.**

HJR 5, Joint Resolution in favor of Mrs. Joan Bonner.

**Killed.**

HJR 6, Joint Resolution providing an appropriation for works of improvements on small watersheds.

**Engrossed. Ch. 371, Laws of 1955.**

HJR 7, Joint Resolution relative to a special committee to study state owned lands.

**Killed.**

HJR 8, Joint Resolution providing funds for certain classified positions in planning and development department.

**Engrossed. Ch. 341, Laws of 1955.**

HJR 9, Joint Resolution in favor of the County of Coos.

**Engrossed. Ch. 342, Laws of 1955.**

HJR 10, Joint Resolution in favor of the New Hampshire Veterans' Affairs.

**Engrossed. Ch. 375, Laws of 1955.**

HJR 11, Joint Resolution relative to repairs to a bridge crossing the Connecticut river between Dalton, New Hampshire and Lunenburg, Vermont.

**Killed.**

HJR 12, Joint Resolution providing for two additional county foresters.

**Killed.**

HJR 13, Joint Resolution in favor of Francis H. Buffum.  
**Engrossed. Ch. 353, Laws of 1955.**

HJR 14, Joint Resolution in favor of the town of Stratford.  
**Killed.**

HJR 15, Joint Resolution in favor of the estate of John S. Ball.

**Engrossed. Ch. 343, Laws of 1955.**

HJR 16, Joint Resolution relative to special fishing licenses for certain students from foreign countries.

**Engrossed. Ch. 346, Laws of 1955.**

HJR 17, Joint Resolution relating to teachers' retirement system study.

**Engrossed. Ch. 372, Laws of 1955.**

HJR 18, Joint Resolution relative to fire protection for the State House.

**Killed.**

HJR 19, Joint Resolution relative to a study of the problems connected with aged persons.

**Killed.**

HJR 20, Joint Resolution relating to retirement study.  
**Killed.**

HJR 21, Joint Resolution relative to the estate of Eugene Hill.

**Engrossed. Ch. 348, Laws of 1955.**

HJR 22, Joint Resolution in favor of the town of Wilmot.  
**Killed.**

HJR 23, Joint Resolution in favor of Augustus Glidden.  
**Engrossed. Ch. 356, Laws of 1955.**

HJR 24, Joint Resolution in favor of Ada T. Lansdowne.  
**Engrossed. Ch. 359, Laws of 1955.**

HJR 25, Joint Resolution relative to a study of the problem of combining towns and school districts.

**Engrossed. Ch. 349, Laws of 1955.**



HJR 26, Joint Resolution relative to dredging the Ammonoosuc River at Lisbon.

**Killed.**

HJR 27, Joint Resolution to continue and extend the study of groundwater resources within the state.

**Engrossed. Ch. 376, Laws of 1955.**

HJR 28, Joint Resolution to provide for a cooperative aerial geophysical survey of portions of the State of New Hampshire.

**Engrossed. Ch. 369, Laws of 1955.**

HJR 29, Joint Resolution in favor of Stanley J. Ornell.

**Killed.**

HJR 30, Joint Resolution in favor of H. P. Welch Company.

**Killed.**

HJR 31, Joint Resolution to study the feasibility of the purchase by the state of the Margaret Pillsbury or Memorial Units of the Concord Hospital as a nursing home for needy elderly persons.

**Killed.**

HJR 32, Joint Resolution in favor of Alex E. Demers.

**Engrossed. Ch. 357, Laws of 1955.**

HJR 33, Joint Resolution in favor of Harry Pierce.

**Engrossed. Ch. 363, Laws of 1955.**

HJR 34, Joint Resolution to provide for an investigation of the laws relating to tax exemption of real estate and personal property and to ascertain the total value of property, in New Hampshire so exempted.

**Engrossed. Ch. 381, Laws of 1955.**

HJR 35, Joint Resolution in favor of the Y. D. Convention.

**Killed.**

HJR 36, Joint Resolution relative to a state-wide referendum on the question of taxes.

**Killed.**

HJR 37, Joint Resolution in favor of Harold A. Todd.

**Engrossed. Ch. 358, Laws of 1955.**

HJR 38, Joint Resolution appropriation for carrying out provisions of statute relative to reciprocal agreements for educational facilities for New Hampshire residents.

**Engrossed. Ch. 354, Laws of 1955.**

HJR 39, Joint Resolution relative to reconstruction of road in the town of Gilmanton.

**Killed.**

HJR 40, Joint Resolution in favor of the town of Derry.

**Killed.**

HJR 41, Joint Resolution providing funds for Dutch elm disease control.

**Killed.**

HJR 42, Joint Resolution making an appropriation for the purchase of aircraft.

**Killed.**

HJR 43, Joint Resolution relative to interim committee to study senatorial districts.

**Engrossed. Ch. 377, Laws of 1955.**

HJR 44, Joint Resolution in favor of the Danbury Hospital, Danbury, Connecticut.

**Engrossed. Ch. 355, Laws of 1955.**

HJR 45, Joint Resolution relative to investigation of certain election laws in the city of Manchester.

**Killed.**

HJR 46, Joint Resolution relative to a study of the ward lines of the city of Manchester.

**Killed.**

HJR 47 Joint Resolution relative to camp ground at Crawford Notch State Park.

**Killed.**

HJR 48, Joint Resolution relative to a certain road between Holderness and North Woodstock.

**Killed.**

HJR 49, Joint Resolution relative to a road in Fitzwilliam, and providing for a study of access highways to state reservations.

**Engrossed. Ch. 373, Laws of 1955.**

HJR 50, Joint Resolution relative to reconstruction of Brook road in the town of Lisbon.

**Killed.**

HJR 51, Joint Resolution relative to purchase of Salk poliomyelitis vaccine by the state.

**Engrossed. Ch. 350, Laws of 1955.**

HJR 52, Joint Resolution relative to purchase of boat for the Fish and Game Department.

**Engrossed. Ch. 366, Laws of 1955.**

HJR 53, Joint Resolution relative to insurance on motor vehicles.

**Legislative Council.**

HJR 54, Joint Resolution in favor of the estate of Joseph L. Boutin.

**Engrossed. Ch. 360, Laws of 1955.**

HJR 55, Joint Resolution relating to the "Actuarial Study Report."

**Engrossed. Ch. 361, Laws of 1955.**

HJR 56, Joint Resolution in favor of the estate of Edith P. Atkins.

**Engrossed. Ch. 362, Laws of 1955.**

HJR 57, Joint Resolution in favor of the estate of Edward C. Sweeney, Sr.

**Engrossed. Ch. 364, Laws of 1955.**

HJR 58, Joint Resolution in favor of the estate of Alfred J. Marcotte.

**Engrossed. Ch. 365, Laws of 1955.**

HJR 59, Joint Resolution in favor of Fernand J. Gaudreau.

**Engrossed. Ch. 380, Laws of 1955.**

HJR 60, Joint Resolution in favor of Austin H. Reed.

**Engrossed. Ch. 367, Laws of 1955.**

HJR 61, Joint Resolution in favor of the estate of George T. Colony.

**Engrossed. Ch. 370, Laws of 1955.**

HJR 62, Joint Resolution in favor of Charlotte Peterof.  
**Killed.**

HJR 63, Joint Resolution relative to mileage allowances  
for Alonzo P. Weeks and others.  
**Killed.**

HJR 64, Joint Resolution in favor of Lloyd E. Fogg and  
others.

**Engrossed. Ch. 382, Laws of 1955.**

## SENATE BILLS

SB 1, An Act to speed regulations for motor vehicles.

**Killed.**

SB 2, An Act relative to reimbursement to towns and cities for land taken by the United States for flood control.

**Engrossed. Ch. 315, Laws of 1955.**

SB 3, An Act relative to election campaign receipts and expenditures and their publication.

**Engrossed. Ch. 273, Laws of 1955.**

SB 4, An Act relating to write-in votes for nomination as state senator and representative.

**Engrossed. Ch. 103, Laws of 1955.**

SB 5, An Act relative to audit of the accounts of the city of Portsmouth.

**Engrossed. Ch. 397, Laws of 1955.**

SB 6, An Act authorizing the appointment of county public trustees.

**Engrossed. Ch. 183, Laws of 1955.**

SB 7, An Act relative to the charter of Colby Junior College for Women.

**Engrossed. Ch. 386, Laws of 1955.**

SB 8, An Act relative to inheritance taxation.

**Engrossed. Ch. 113, Laws of 1955.**

SB 9, An Act relative to discharge of employees of public libraries.

**Engrossed. Ch. 18, Laws of 1955.**

SB 10, An Act to relieve persons with a permanent physical disability from paying poll taxes.

**Killed.**

SB 11, An Act relative to education of children placed in homes for children.

**Engrossed. Ch. 227, Laws of 1955.**



SB 12, An Act to regulate the practice of land surveying.  
**Killed.**

SB 13, An Act relating to re-assessment procedures.  
**Engrossed. Ch. 297, Laws of 1955.**

SB 14. (Reserved).

SB 15, An Act relating to abatement procedures.  
**Engrossed. Ch. 162, Laws of 1955.**

SB 16, An Act relative to special sessions of probate court.  
**Engrossed. Ch. 142, Laws of 1955.**

SB 17, An Act relative to the salary of the justice of the municipal court of Portsmouth.  
**Engrossed. Ch. 133, Laws of 1955.**

SB 18, An Act relative to the charter of St. Paul's Lodge No. 30, F. and A. M., at Alstead.  
**Engrossed. Ch. 395, Laws of 1955.**

SB 19, An Act relative to the trapping of fur-bearing animals in the Androscoggin Valley water-shed.  
**Engrossed. Ch. 134, Laws of 1955.**

SB 20, An Act relative to publicly elected officials of cities.  
**Engrossed. Ch. 17, Laws of 1955.**

SB 21, An Act relative to the park commission of the city of Berlin.  
**Engrossed. Ch. 399, Laws of 1955.**

SB 22, An Act relative to estate taxes.  
**Engrossed. Ch. 72, Laws of 1955.**

SB 23, An Act relative to suspension or revocation of licenses of persons practicing medicine.  
**Engrossed. Ch. 71, Laws of 1955.**

SB 24, An Act providing for the licensing of motor vehicle manufacturers and dealers.  
**Killed.**

SB 25, An Act repealing the provisions for open season for the taking of beaver.  
**Killed.**

SB 26, An Act relating to the registration of pharmacists.  
**Killed.**

SB 27, An Act relating to investment of trust funds by the First Congregational Society of Nashua, New Hampshire.  
**Engrossed. Ch. 44, Laws of 1955.**

SB 28, An Act relative to building and loan associations.  
**Engrossed. Ch. 51, Laws of 1955.**

SB 29, An Act relative to operation of motor vehicles at yield right-of-way signs.  
**Engrossed. Ch. 178, Laws of 1955.**

SB 30, An Act relative to state parks.  
**Engrossed. Ch. 205, Laws of 1955.**

SB 31, An Act relative to carrying weapons.  
**Engrossed. Ch. 298, Laws of 1955.**

SB 32, An Act relative to the sale of narcotics to minors.  
**Engrossed. Ch. 243, Laws of 1955.**

SB 33, An Act providing for chemical tests for intoxication.  
**Killed.**

SB 34, An Act to provide for an assistant solicitor for the county of Hillsborough.  
**Killed.**

SB 35, An Act to provide for the publication and distribution of the Revised Statutes Annotated of the State of New Hampshire.  
**Engrossed. Ch. 231, Laws of 1955.**

SB 36, An Act relative to funds for the New Hampshire Tri-State Commission.  
**Killed.**

SB 37, An Act continuing the commission to study the use of assigned television channels for educational purposes.  
**Engrossed. Ch. 89, Laws of 1955.**

SB 38, An Act relative to resident brokers' insurance licenses.  
**Killed.**

SB 39, An Act relative to insurance agents.

**Killed.**

SB 40, An Act to provide for licensing qualified practical nurses whose experience has been gained outside New Hampshire.

**Killed.**

SB 41, An Act to provide assistance for education in the academies, seminaries of learning, colleges and other educational institutions of this state.

**Killed.**

SB 42, An Act relative to revenue of the department of health.

**Engrossed. Ch. 226, Laws of 1955.**

SB 43, An Act relative to a service exemption for disabled veterans.

**Engrossed. Ch. 302, Laws of 1955.**

SB 44, An Act relative to trespassing stock.

**Killed.**

SB 45, An Act relative to jeopardy assessment on personal property.

**Engrossed. Ch. 108, Laws of 1955.**

SB 46, An Act relating to writs and their endorsements.

**Engrossed. Ch. 60, Laws of 1955.**

SB 47, An Act relative to the care and treatment of sexual psychopaths.

**Engrossed. Ch. 163, Laws of 1955.**

SB 48, An Act relative to the commission of mental health.

**Killed.**

SB 49, An Act relative to the taxation of personal property on land of another.

**Engrossed. Ch. 114, Laws of 1955.**

SB 50, An Act relative to orders for delinquent children and the jurisdiction of municipal courts.

**Killed.**

SB 51, An Act prohibiting the use of outboard motors on Perch pond in the town of Campton.

**Killed.**

SB 52, An Act relative to increasing certain penalties.

**Engrossed. Ch. 175, Laws of 1955.**

SB 53, An Act relative to courts-martial in the national guard.

**Engrossed. Ch. 70, Laws of 1955.**

SB 54, An Act relative to damage to berries, sugar orchards and nursery stock by game.

**Killed.**

SB 55, An Act naming the Henri A. Burque drive.

**Engrossed. Ch. 49, Laws of 1955.**

SB 56, An Act relative to compensation of the New Hampshire members of the Maine-New Hampshire Bridge Authority.

**Engrossed. Ch. 115, Laws of 1955.**

SB 57, An Act relative to the solicitation of bribes.

**Engrossed. Ch. 320, Laws of 1955.**

SB 58, An Act to provide for the regulation of the business of drivers' schools.

**Engrossed. Ch. 208, Laws of 1955.**

SB 59, An Act relating to the indebtedness of the city of manchester.

**Engrossed. Ch. 430, Laws of 1955.**

SB 60, An Act relating to the return day of executions issued by the superior court.

**Engrossed. Ch. 104, Laws of 1955.**

SB 61, An Act providing special fees for privately owned school buses.

**Killed.**

SB 62, An Act relating to registration of motor boats and outboard motors.

**Engrossed. Ch. 159, Laws of 1955.**

SB 63, An Act relating to reports of register of deeds.  
**Engrossed. Ch. 80, Laws of 1955.**

SB 64, An Act relative to taking wild deer by residents on their own land.

**Killed.**

SB 65, An Act relative to retirement system for firemen.  
**Engrossed. Ch. 112, Laws of 1955.**

SB 66, An Act creating an industrial development authority.

**Engrossed. Ch. 254, Laws of 1955.**

SB 67, An Act relating to motor vehicle liability insurance.

**Killed.**

SB 68, An Act relative to the salaries of the board of public works of Laconia.

**Engrossed. Ch. 453, Laws of 1955.**

SB 69, An Act relating to variable annuity accounts of life insurance companies.

**Killed.**

SB 70, An Act relative to membership of the cancer commission.

**Killed.**

SB 71, An Act relating to false reports of crime.

**Engrossed. Ch. 116, Laws of 1955.**

SB 72, An Act relating to publication of report audit.

**Engrossed. Ch. 184, Laws of 1955.**

SB 73, An Act providing for liens on house trailers.

**Engrossed. Ch. 209, Laws of 1955.**

SB 74, An Act legalizing a meeting of the Coos County Convention.

**Killed.**

SB 75, An Act establishing a police commission for the city of Rochester.

**Engrossed. Ch. 449, Laws of 1955.**



SB 76, An Act relative to assessment of damages and basis of liability for change of grade in construction or maintenance of highways in towns.

**Engrossed. Ch. 167, Laws of 1955.**

SB 77, An Act providing that charitable corporations may establish common trust funds.

**Engrossed. Ch. 160, Laws of 1955.**

SB 78, An Act relating to Wolfeboro Village Fire Precinct.

**Engrossed. Ch. 415, Laws of 1955.**

SB 79, An Act relative to the sale of cider.

**Engrossed. Ch. 179, Laws of 1955.**

SB 80, An Act relating to removal of public officials and employees.

**Killed.**

SB 81, An Act relative to the charter of the Plymouth Guaranty Savings Bank.

**Engrossed. Ch. 424, Laws of 1955.**

SB 82, An Act to amend the charter of the Cheshire County Savings Bank.

**Engrossed. Ch. 434, Laws of 1955.**

SB 83, An Act relative to Colby Junior College Highway and Sutton road.

**Engrossed. Ch. 303, Laws of 1955.**

SB 84, An Act authorizing towns to form unions for the purpose of employing a town manager.

**Killed.**

SB 85, An Act relative to temporary use of special military registrations and plates.

**Engrossed. Ch. 210, Laws of 1955.**

SB 86, An Act relative to expenses of members of commission on interstate cooperation.

**Engrossed. Ch. 299, Laws of 1955.**

SB 87, An Act relating to eligibility for reappointment to certain boards, commissions and similar bodies.

**Killed.**

SB 88, An Act relative to formation of railroad corporations.

**Engrossed. Ch. 180, Laws of 1955.**

SB 89, An Act relative to purchases by the director of purchase and property.

**Engrossed. Ch. 200, Laws of 1955.**

SB 90, An Act relative to emergency purchases by the division of purchase and property.

**Engrossed. Ch. 201, Laws of 1955.**

SB 91, An Act relative to trustees of trust funds of the city of Portsmouth.

**Engrossed. Ch. 452, Laws of 1955.**

SB 92, An Act relative to authority of towns to enter collective bargaining contracts with labor unions.

**Engrossed. Ch. 255, Laws of 1955.**

SB 93, An Act legalizing certain action at the Plainfield School District meeting.

**Engrossed. Ch. 444, Laws of 1955.**

SB 94, An Act establishing a chief judge of probate.

**Killed.**

SB 95, An Act relative to limited maintenance of highways discontinued subject to gates and bars.

**Killed.**

SB 96, An Act providing for referendum on the use of fluorides in public water supplies.

**Killed.**

SB 97, An Act relative to the establishment bureau for the reproduction of state documents.

**Engrossed. Ch. 258, Laws of 1955.**

SB 98, An Act relative to the Peterborough Home for the Aged and the James Scott and Sarah A. Scott Home.

**Engrossed. Ch. 435, Laws of 1955.**

SB 99, An Act relative to layout and acquisition of land and other property for class I and II highways.

**Killed.**

SB 100, An Act relative to capital reserve funds of the City of Nashua.

**Engrossed. Ch. 436, Laws of 1955.**

SB 101, An Act legalizing the biennial election held in the town of Ellsworth, November 2, 1954.

**Engrossed. Ch. 445, Laws of 1955.**

SB 102, An Act relating to the exclusive right of the Rye Water District to acquire water rights within a part of the town of Rye.

**Engrossed. Ch. 454, Laws of 1955.**

SB 103, An Act concerning Wolfeboro Village Fire Precinct.

**Engrossed. Ch. 443, Laws of 1955.**

SB 104, An Act relating to motor vehicles carrying property for hire.

**Killed.**

SB 105, An Act relative to the Granite State Building and Loan Association.

**Engrossed. Ch. 432, Laws of 1955.**

SB 106, An Act relative to the Authority of the United Baptist Church of Somersworth to hold property.

**Engrossed. Ch. 433, Laws of 1955.**

SB 107, An Act relative to qualifications for membership on the commission of pharmacy and practical chemistry.

**Killed.**

SB 108, An Act relative to interest refunds to members of credit unions.

**Engrossed. Ch. 259, Laws of 1955.**

SB 109, An Act authorizing the creation of regional planning commissions.

**Engrossed. Ch. 272, Laws of 1955.**

SB 110, An Act relative to voting by armed services absentees.

**Engrossed. Ch. 219, Laws of 1955.**

SB 111, An Act relative to nature of the tax on tobacco products.

**Engrossed. Ch. 256, Laws of 1955.**

SB 112, An Act relative to practice of medicine and suspension of license in certain cases.

**Engrossed. Ch. 260, Laws of 1955.**

SB 113, An Act relative to the rate of tax on interest and dividends.

**Engrossed. Ch. 309, Laws of 1955.**

SB 114, An Act to amend the municipal finance act relative to borrowing for school purposes.

**Engrossed. Ch. 329, Laws of 1955.**

SB 115, An Act relating to certificates required in committing a patient to the state hospital.

**Engrossed. Ch. 316, Laws of 1955.**

SB 116, An Act relating to the powers and duties of towns.

**Engrossed. Ch. 270, Laws of 1955.**

SB 117, An Act amending Chapter 226 of the Session Laws of 1921.

**Killed.**

SB 118, An Act relating to the school district of the town of Rye.

**Engrossed. Ch. 455, Laws of 1955.**

SB 119, An Act concerning investments by savings banks.

**Engrossed. Ch. 318, Laws of 1955.**

SB 120, An Act increasing registration fees for motor vehicles of heavy weights.

**Killed.**

SB 121, An Act relative to salaries of court stenographers.

**Engrossed. Ch. 271, Laws of 1955.**

SB 122, An Act to lay out and construct a service road connecting with the Eastern New Hampshire Turnpike.

**Engrossed. Ch. 304, Laws of 1955.**

SB 123, An Act providing for the election of county commissioner districts of illsborough county.

**Engrossed. Ch. 317, Laws of 1955.**

SB 124, An Act relative to safety regulations for commercial establishments to workmen's compensation agreements.

**Engrossed. Ch. 291, Laws of 1955.**

SB 125, An Act relative to the operation of motor vehicles by minors under the age of eighteen years.

**Killed.**

SB 126, An Act relative to mileage allowances for legislative officers and employees and establishing a new apportionment for the assessment of public taxes.

**Engrossed. Ch. 330, Laws of 1955.**

SB 127, An Act relative to the lay out of limited access highways and to the Rye Water District.

**Engrossed. Ch. 292, Laws of 1955.**

SB 128, An Act relative to the effective date of an act relative to school tuition.

**Engrossed. Ch. 263, Laws of 1955.**

SB 129, An Act relative to powers of the superior court on immunity of witnesses.

**Engrossed. Ch. 312, Laws of 1955.**

SB 130, An Act relative to transfer of diagnostic laboratories to the state hospital.

**Engrossed. Ch. 293, Laws of 1955.**

SB 131, An Act relative to weight of certain vehicles and semi-trailers.

**Engrossed. Ch. 310, Laws of 1955.**

SB 132, An Act relative to discharge or removal of county employees and municipal officials and employees.

**Killed.**

SB 133, An Act relating to the apportionment of expenses for municipalities in fighting forest fires and to class V road aid.

**Engrossed. Ch. 311, Laws of 1955.**

SB 134, An Act granting the attorney general subpoena powers in certain cases.

**Killed.**



SB 135, An Act legalizing the annual school district meeting of the Litchfield School District.

**Engrossed. Ch. 457, Laws of 1955.**

SB 136, An Act making temporary appropriation for the expenses of the State of New Hampshire for the month of August, 1955.

**Engrossed. Ch. 274, Laws of 1955.**

## SENATE JOINT RESOLUTIONS

SJR 1, Joint Resolution in favor of Merle Pitman.

**Engrossed. Ch. 345, Laws of 1955.**

SJR 2, Joint Resolution relating to the placement of certain obsolete artillery.

**Engrossed. Ch. 351, Laws of 1955.**

SJR 3, Joint Resolution relative to a study of old age and survivors' insurance for state employees.

**Engrossed. Ch. 344, Laws of 1955.**

SJR 4, Joint Resolution relative to the continued duties of the Attorney General.

**Engrossed. Ch. 352, Laws of 1955.**

SJR 5, Joint Resolution in favor of Louis E. Clement and others.

**Engrossed. Ch. 378, Laws of 1955.**

SJR 6, Joint Resolution relative to supplemental appropriation for the education of the deaf.

**Engrossed. Ch. 374, Laws of 1955.**

SJR 7, Joint Resolution providing for distribution of information to delegates prior to Constitutional Convention.

**Killed.**

SJR 8, Joint Resolution in favor of Harry L. Hurlbert.

**Engrossed. Ch. 379, Laws of 1955.**



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TUESDAY, APRIL 6, 1954

**PETITION FOR THE CALLING OF A SPECIAL SESSION**

WHEREAS the laws do not grant the state the right of appeal to the courts in connection with damage settlements for highway purposes, and

WHEREAS the Commissioner of the Department of Public Works and Highways discloses that every year there are excessive awards made under the normal construction programs of that department, and

WHEREAS the construction of the Central New Hampshire Turnpike and the Eastern New Hampshire Turnpike will necessitate estimated damage settlements of over four million dollars to be paid before the next regular session of the General Court, in 1955, and in connection with such payments there will be no provision for appeal on the part of the state,

THEREFORE, we, the undersigned, believe that the welfare of the state requires a special session of the General Court for the immediate enactment of laws to protect the interests of the state in damage settlements for highway purposes, and pursuant to the provisions of chapter 134 of the laws of 1945 we hereby petition for a special session of the General Court.

**SIGNERS OF THE PETITION**

**Senators**

Norman A. Packard, <i>Manchester</i>	Jesse R. Rowell, <i>Newport</i>
Francis J. Heroux, <i>Manchester</i>	Curtis C. Cummings, <i>Colebrook</i>
Paul H. Daniels, <i>Manchester</i>	Fred G. Hayes, Jr., <i>Berlin</i>
Benjamin C. Adams, <i>Londonderry</i>	Perley C. Knox, <i>Dover</i>
Frederic H. Fletcher, <i>Milford</i>	Otto G. Keller, <i>Laconia</i>
Charles T. Durrell, <i>Portsmouth</i>	Margery W. Graves, <i>Brentwood</i>
Frederick C. Smalley, <i>Dover</i>	

## Representatives

William R. Stockwell, Jr., <i>Holderness</i>	Lise L. Payette, <i>Portsmouth</i>
Hiram F. Gingras, <i>Ashland</i>	Thurston A. Smart, <i>Portsmouth</i>
Jesse A. Barney, <i>Rumney</i>	Henry S. Murch, Jr., <i>Portsmouth</i>
Nina E. Peabody, <i>Franconia</i>	Thomas F. McCaffrey, <i>New Castle</i>
Norman C. Fox, <i>Lisbon</i>	William J. Wardwell, <i>Portsmouth</i>
Charles Griffin, <i>Lincoln</i>	Oliver H. Hepworth, <i>Derry</i>
Phillip S. Willey, <i>Campton</i>	Harry E. Clark, <i>Derry</i>
Thomas F. Sawyer, <i>Woodstock</i>	Ernest P. Barka, <i>Derry</i>
A. Kenneth Hambleton, <i>Goffstown</i>	John H. Yeaton, <i>Portsmouth</i>
Alfred W. Poore, <i>Goffstown</i>	George D. Thibeault, <i>Pembroke</i>
Austin H. Reed, <i>Goffstown</i>	Edward M. DuDevoir, <i>Hooksett</i>
Rufus L. Jennings, <i>Goffstown</i>	George H. Corbett, <i>Concord</i>
John J. Kearns, <i>Manchester</i>	James P. Ferrin, <i>Concord</i>
George A. Lang, <i>Manchester</i>	Fred M. Dodge, <i>Concord</i>
Kenneth W. Robb, <i>Manchester</i>	Leo G. Payeur, <i>Pembroke</i>
Ned Spaulding, <i>Hudson</i>	George W. Angus, <i>Claremont</i>
Alfred A. Bergeron, <i>Manchester</i>	Arthur E. Howe, <i>Claremont</i>
Denis F. Casey, <i>Manchester</i>	Robert E. Stone, <i>Claremont</i>
Joseph Kershaw, <i>Swanzy</i>	Sam J. Nahil, <i>Claremont</i>
Ralph A. Blake, <i>Swanzy</i>	Harry L. Henderson, <i>Berlin</i>
Alexander P. Thompson, <i>Winchester</i>	Hilda C. F. Brungot, <i>Berlin</i>
Edward C. Sweeney, Sr., <i>Keene</i>	Oliver A. Dussault, <i>Berlin</i>
Charles P. Haley, <i>Keene</i>	Edward F. Hinchey, <i>Berlin</i>
Theodore S. Barton, <i>Keene</i>	Jennie Fontaine, <i>Berlin</i>
Hugh F. Waling, <i>Keene</i>	Marie A. Christiansen, <i>Berlin</i>
Harry H. Foote, <i>Portsmouth</i>	Frank H. Sheridan, <i>Berlin</i>
John E. Holden, <i>Newport</i>	Albert J. Theriault, <i>Berlin</i>

By authority of Revised Laws, chapter 9-A, as inserted by Laws of 1945, chapter 134, you are hereby notified that the 1953 Session of the General Court shall reconvene in Special Session at ten o'clock in the forenoon of Tuesday, April 6, 1954, a majority of the members of the House and a majority of the members of the Senate having voted in favor of this Special Session.

ENOCH D. FULLER  
Secretary of State

In pursuance of the above petition, the House of Representatives having assembled in the Capitol in the City of Concord, in said State, on Tuesday, April 6, 1954 being the day designated in the foregoing petition, they were called to order by the clerk at 10:00 A.M.

Prayer was offered by the chaplain

Eternal God, in whom alone is the strength of our hearts and the welfare of our State, we come to Thee for wisdom and



guidance. Help us to face the important issues of this day with a deep conviction that we are doing Thy will. We not only ask for courage to do the right, but for knowledge of the right that is worthy of the courage with which Thou dost endow us. Save us, our God from being little men and women in the midst of great and fundamental obligations that have been laid upon us. We ask this in the name of Jesus Christ our Lord.

*Amen.*

The clerk proceeded to call the roll and 336 members answering to their names, a quorum was declared present.

ROCKINGHAM: Brock, Griffin of Auburn, Dudley, Wastcoat, Clark of Derry, Hepworth, Ladd, Eldredge, Eastman of Exeter, Rathbone, Jones of Fremont, Weeks of Greenland, Spollett, Merrill of Hampton, Thurlow, Eastman of Kensington, MacDonald, Parmenter, McCaffrey, Sheehy, Holden of Newington, LaBranche, Sewall, Carter, Pinkham, McDaniel, Seel, Barrett, Hundley, Payette, Sadler, Zoffoli, Foote, Murch, Yeaton, Joyce, Leary, Wardwell, Smart, Ingraham, Mafera, Haigh, Noyes, Peever, Durkee, Scamman, Waterhouse.

STRAFFORD: Swain, Chase, Leighton, Grimes, Marcotte of Dover, Webb, Crandall, Flanagan, Littlehale, Stearns, Parker, Wormhood, Nehring, Rolfe, Maxfield, Nelson, Carignan, LaCasse, St. Pierre, Studley, Clement, Fernald, Green of Rollinsford, LeTourneau, Beamis, Malley, Brown of Strafford.

BELKNAP: Perkins of Alton, McAllister, Roeder, Nichols, Gardner of Gilford, Robertson, Hart, Stafford, Morin, Simoneau, Tilton of Laconia, Karagianis, Burbank, Brown, Varrell, Kipp, Smith of Meredith, Matthews, Atwood, Metcalf of Tilton.

CARROLL: Washburn, Benson, Downs, Mudgett, Morey, Kimball of Moultonborough, Hodge, Nickerson, Hodgdon, Peaslee of Wakefield, Ford.

MERRIMACK: Hyde, Holmes of Boscawen, Moore, Vogel, Ferrin, Hancock, Otis, Lessels, Corbett, Jewett, Rainie of Concord, Saltmarsh, Bunten, Cilley, Maxham, Walker of Concord, Mahoney, Comi, Nawn, Sargent, Mendenhall, Nutter, Broadhurst, Burke, Thompson of Franklin, Douphinette, Leonard, Patenaude, Dudevoir, Mulaire, Davis of Hopkinton,

Brown of Loudon, Lamson, Wilman, Payeur, Thibeault, Ferguson, Young, Powell, Youmans.

HILLSBOROUGH: Holmes of Amherst, Robinson, Wiggin, Black, Farwell, Hambleton, Jennings, Poore, Reed of Goffstown, Adams of Greenfield, Fortin, English, Hadley, Goodwin of Hollis, Abbott, Spaulding, Warren, Corliss, Lang of Manchester, Saidel, Soucy of Manchester, Ward 1, Cain, Danforth, Geisel, Pillsbury, Robb, Connor, Horan, Martel, Sullivan, Fitzgerald, Kean, Nolan, Betley, Healey, Ward 5, Hurley, Shea of Manchester, Smith, Callahan, Clancy, Healey, Ward 6, Ecker, LeClerc, Paradis, Poirier, Tessier, Constant, Delisle, Gagnon, Genest, Langlois, Auger, Bergeron, Kearns, O'Neil, Roche, Attalla, Lareau, Soucy, Ward 12, Vallaincourt, Dupont, Gantier, Lesmerises, Thibodeau, Cannon, Donnelly, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Cooper, Freeman, Ramsdell, Boire, Temple, Belcourt, Brosnahan, Maynard of Nashua, Pappagianis, Dionne, Shea of Nashua, Ryan, Sweeney of Nashua, Dugas, Dutilly, Grandmaison, Pelletier, Bouthillier, Dumais, Locke of New Boston, Thompson of New Ipswich, Mailloux, Cummings, Barry.

CHESHIRE: Burnham, Dort, Thompson, Maynard of Fitzwilliam, Clark of Harrisville, Smith of Hinsdale, Spofford, Haley, Kirk, Sweeney of Keene, Landers, Wheeler, Bennett, Coddington, Faulkner, Barton, Carlton, Sherwin, Blake, Kershaw, Lang of Troy, Rhodes, Ingham of Winchester.

SULLIVAN: Frizzell, Angus, Converse, Howe, Firestone, Millar, Nahil, Stone, Davis of Cornish, Smith of Langdon, Wirkkala, Holden of Newport, Perry, Roe, Vaughan, Jordan, Delude.

GRAFTON: Gingras, Chamberlin of Bath, Whittier, Plumer, Willey, Eggleston, Brown of Easton, Peabody, Williams, Atkins, Fuller, Hayward, Holden of Hanover, McMeekin, Sleeper, Stockewell, Adams of Lebanon, Ashley, Cole, Jones, Fred of Lebanon, Jones, Victor of Lebanon, Perley, Griffin of Lincoln, Fox, Gardner of Littleton, Longchamps, Martin, Dixon, Carr, Howard, Bell of Plymouth, Barney, Horner, Anderson, Woodward, Sawyer.

COOS: Dussault, Henderson, Sheridan, Brungot, Christiansen, Bouchard, Fontaine, Theriault, Oakes, Emerson, Ross, Kimball of Jefferson, Simonds, Swett, Potter, Boutain, Hayes, Hilliard, Weeks of Stewartstown, Stinson, Taylor.

The first order of business was the election of a temporary presiding officer.

Miss Spollett of Hampstead placed in nomination Mr. McDaniel of Nottingham.

On a *viva voce* vote Mr. McDaniel of Hampstead was declared elected temporary presiding officer and was escorted to the chair by Mrs. Brungot of Berlin and Mr. Wadleigh of Milford.

The House then proceeded with the election of a Speaker.

Mr. Scamman of Stratham placed in nomination for Speaker Mr. McMeekin of Haverhill.

On motion of Mr. Kearns of Manchester the clerk was instructed to cast one ballot for Mr. McMeekin for Speaker.

Mr. McMeekin of Haverhill was declared elected Speaker and was escorted to the chair by Mr. Kearns of Manchester and Miss Spollett of Hampstead and Mrs. Otis of Concord.

### Leaves of Absence

Mr. Heald of Keene was granted leave of absence for the week on account of important business.

Mr. Ayers of Nashua was granted leave of absence for the week on account of illness.

### Resolutions

Mr. Pillsbury of Manchester offered the following resolution:

*Resolved*, That the rules of the House of the last session be the rules of the House for the present session until otherwise ordered by the House, provided, however, that committees may hold public hearings when notice of such hearings shall be advertised at least one day in the Journal of the House.

On a *viva voce* vote the resolution was adopted.

Mr. Willey of Campton offered the following resolution:

*Resolved*, That unless otherwise ordered, the hours of assembling of the House shall be at 11:00 o'clock in the forenoon and 3:00 o'clock in the afternoon.

On a *viva voce* vote the resolution was adopted.

Mr. Kearns of Manchester offered the following resolution:

*Resolved*, That the Honorable Senate be notified that the House of Representatives has assembled in accordance with the petition for calling of a special session, and is now ready to proceed with the business of the session.

On a *viva voce* vote the resolution was adopted.

Mr. Fernald of Rochester offered the following concurrent resolution:

*Resolved*, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in joint convention at 11:00 o'clock for the purpose of receiving His Excellency, the Governor, and any communication he may be pleased to make, and that a Joint Committee of five consisting of three on the part of the House and two on the part of the Senate be appointed to wait upon His Excellency and inform him accordingly.

On a *viva voce* vote the concurrent resolution was adopted.

The Speaker appointed as members of such committee on the part of the House, Mesdames Otis of Concord, Millar of Claremont and Mr. Kearns of Manchester.

### Senate Message

A message sent down from the Honorable Senate by its clerk, announced that:

The Senate had adopted the following resolution:

*Resolved*, That the House of Representatives be informed that in pursuance of a message from the Secretary of State, the Senate has assembled and is now ready to proceed with the business of the Special Session.

The message also announced that:

The Senate had voted to concur in the adoption of the following resolution:

*Resolved*, That the Honorable Senate be notified that the House of Representatives will be ready to meet the Senate in joint convention at 11 o'clock for the purpose of receiving His Excellency, the Governor, and any communication he may

be pleased to make, and that a Joint Committee of five consisting of three on the part of the House and two on the part of the Senate be appointed to wait upon His Excellency and inform him accordingly.

And the President has appointed as members of such committee on the part of the Senate, Senators Greene and Caron.

The message further announced that:

The Senate had voted to adopt the following concurrent resolution in the adoption of which it asks the concurrence of the House of Representatives.

*Resolved* by the Senate, the House of Representatives concurring:

That the Joint Rules of the last session be the Joint Rules of this Special Session of the Legislature with the following amendments:

1. Strike out Rule 10.
2. Strike out Rule 12 and substitute in place thereof the following:

No Bill, Joint Resolution, claim outstanding on the first day of the session, or petition relating to new business shall be received in either branch of the Legislature unless reported by the Committee on Rules; and further provided that the Committee on Rules shall admit only bills relating to land damage awards and to such bills as may be deemed necessary for the proper administration of the Special Session; and be it further provided that this Rule may be suspended in either branch of the Legislature whenever two-thirds of the whole number of elected members shall, on division taken, vote in favor thereof, and not otherwise.

On motion of Mr. Pillsbury of Manchester the House voted to concur in the concurrent resolution sent down from the Honorable Senate.

### Introduction of a Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

House Bill No. 1, An Act relative to the construction or alteration of highways, and the assessment of highway construction damages.



Read a first and second time, laid upon the table to be printed, and referred to the Joint Committee consisting of the Committees on Public Works and Judiciary.

Mr. Spaulding of Hudson offered the following resolution:

*Resolved:* That rule 47, relative to notice of a hearing, shall be advertised at least two days in the Journal, be suspended to allow a hearing on House Bill No. 1 one hour after adjournment today.

On a *viva voce* vote the resolution was adopted.

### Committee Changes

The Speaker announced the following committee changes:

Mr. Griffin of Lincoln to the Committee on Judiciary.

Mr. Dixon of Lyme to the Committee on Rules.

Mr. Hodgdon of Tuftonboro to the Committee on Public Works.

### Tellers

The Speaker announced that the tellers of this session to be the same as the last regular session of the legislature.

### Resolutions

Mr. Lessels of Concord offered the following resolution:

*Whereas*, we have learned of the death of Charles E. Hammond of Manchester, former member of the House of Representatives for several sessions, and a secretary to former Governor Charles M. Dale, and

*Whereas*, Mr. Hammond filled several positions in his own ward, therefore be it

*Resolved*, That we, the members of the House of Representatives do hereby pay tribute to his service, and be it further

*Resolved*, That we extend our heartfelt sympathy to his family and that the Clerk be instructed to transmit a copy of these resolutions to his widow, Mrs. Hammond.

On a *viva voce* vote the resolution was unanimously adopted.

Mrs. Brungot of Berlin offered the following resolution:

*Whereas*, Edmond J. Marcoux of Rochester, present member of the State Liquor Commission and former Representative

and State Senator, is seriously ill in a hospital in Boston, Massachusetts, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the New Hampshire State Legislature, hereby extend our sympathy to him in his illness and our best wishes for a speedy recovery to health, and be it further

*Resolved*, That the Clerk of the House send flowers to our former fellow member and a copy of these Resolutions.

On a *viva voce* vote the resolution was adopted.

### Joint Convention

The Honorable Senate then came in and the two branches being in convention, His Excellency, the Governor, accompanied by the Honorable Council, then appeared and delivered the following message.

### Address of Governor Gregg to the Special

### Session of the Legislature

April 6, 1954

This is a moment — as the Legislature convenes in Special Session — which surely will be a unique annal when the pages of New Hampshire history are written. There have been special sessions in the past; but never has the General Court convened itself. Heretofore, such sessions have always been at the request of the Governor.

While I am in complete sympathy with the purposes for which you have convened yourselves, I did not consider the matter of sufficient urgency to require this Special Session at this time. But, the point is you are here, and there is work to be done!

First, let me say that I appreciate the privilege and honor of being invited to address you. As I look out among you, I am aware of a sadness, as I know you are, that some of our trusted friends have gone from our midst.

I feel that I would be remiss in my responsibility to both the General Court and the people of New Hampshire if I did not take this opportunity to review briefly my stewardship as chief executive — to share with you what has transpired; as

I have, to the best of my ability, attempted to carry out my duties in accordance with the will of the Legislature.

### Finances

At your last session, you voted record appropriations to provide many new and better services for our citizens. Yet, all of these, including the well-deserved salary increases given to our loyal state employees, have been paid for from our current revenues without any need for the enactment of a broad base tax. Today, I am pleased to report to you that my budget recommendations appear to have been well founded. The state treasury is now in a very healthy condition. In fact, if the present trend continues, it is probable that there will be more of a surplus in the general fund at the end of this administration than there was on the date when I took office.

The outlook with regard to General Fund Revenues for the present fiscal year continues to be favorable. In anticipation of an expected slackening in business volume during the present biennium, estimated General Fund Revenue for the present fiscal year was set at \$550,000 less than we received in 1953. For the first eight month period of this fiscal year, our revenue has shown an actual increase over the corresponding period for 1953 of \$203,000. March figures, just available, indicate a considerable gain over the \$203,000 figure. It would appear, therefore, that revenue for the present fiscal year will be substantially in excess of estimates.

In the budget for the present biennium, surplus funds in the Department of Public Welfare were applied against that department's budgetary requirements, and the amount necessary to be raised from taxation was reduced by one million dollars for each of the two years of the biennium because of these surplus funds. Present departmental estimates of surplus funds at the end of the present fiscal year place the amount at not over \$50,000 to \$100,000. In the preparation of the next budget, any substantial increase in General Fund Revenue for this year over estimates will therefore help to offset the shrinkage in surplus funds of the Department of Welfare.

Excluding those new positions which you directed us to fill during the last session, the Governor and Council have established eight new positions. At the same time, we have abolished seven positions which had been previously estab-

lished. I know, then, that you will be pleased to learn that, in your absence, we have actually created a net gain of only one new position in state service.

All departments are living within their legislative appropriations. Last year, for example, our state hospital not only stayed within its budget for the first time in several years, but it also reduced its resident population for the first time in its history. This has been accomplished without neglecting persons in need of State Hospital care and with improvement of services.

Another aspect of state finances in which you have shown a special interest in the past is the Emergency Fund. I am happy to advise you that the Governor and Council have permitted only two transfers from this fund; — one to repair damage caused by lightning at the Soldiers' Home, and the other for forest fires. We still have more than one half of this fund in reserve for further contingencies between now and June thirtieth.

### Forest Fires

Last July and August when there were extensive forest fires in the Mt. Shaw and the Mt. Grantham areas, the state's manpower and financial resources were seriously drained. At that time I telegraphed President Eisenhower requesting assistance under the Civil Defense Natural Disaster Act. The President's response was prompt with immediate assignment of help in personnel and equipment from Federal Civil Defense and the armed forces.

The total cost of fighting these fires was estimated at nearly one-half million dollars; yet, the Forestry Department budgets only \$10,000 annually for such a purpose. Inasmuch as the Emergency Fund had been cut to \$150,000 in the present budget, the only factor which prevented my calling a Special Session of this body last summer to meet the state's share of these fire-fighting costs was the alert action of our state departments in working out agreements with cooperative Federal officials. As a result of this teamwork, the President ordered a Federal contribution to the State of New Hampshire in an amount of \$150,000. This was the first aid ever given to a state by the Federal Government for a forest fire under this law. Had this grant not been made, we would have a real emergency

in the emergency fund, because we would have no emergency fund.

### Recreation

There is an ever-strengthening cooperation between state agencies and privately-endowed organizations to pull together in placing New Hampshire where it rightfully belongs — in the eyes of everybody, everywhere as the best place in the world to live, work and play.

This program, and this growing idea of working together with private enterprise, is proving itself. Last summer New Hampshire did more recreation business than at any other time in its long history, close to 150 million dollars' worth! More inquiries than ever before are being received. In February, for example, we received 74% more requests for promotional material than in February of last year. This year we anticipate receiving an all-time record of 100,000 inquiries. Despite this year's lack of snow, our two major state-operated areas, Cannon Mountain and Mt. Sunapee, did a record business. The people in Franconia Notch are going to be very put out with me for having said "did a record business," because they are still doing a record business at Cannon Mountain. This last weekend alone set the all-time winter record in dollar income at that State Park. Last Saturday and Sunday, over 17,000 rides were sold on the three brand new T Bars which went into operation this year. This success is, in part, the direct result of your foresight in having permitted us to expend a half-million dollars for the major improvements completed at these areas since your last session.

### Agriculture

While our sister states of Vermont and Maine have suffered a decrease in the volume of farm revenue in the past calendar year, we have held our own. To be sure, this may appear to be negative accomplishment. Still, we did have an increase in dairy cattle population as well as greater production of milk per animal during the past year. Our poultry population for February showed an increase of 165,000 birds over February of 1953. Egg production this February over last February was up two million eggs. Had farm prices on these two agricultural commodities held to the 1952 value, our agriculture would have shown considerable dollar value over 1952.



With my recent appointment of an Agricultural Advisory Committee to the Planning and Development Commission, we are confident that more prosperity for our New Hampshire farmers can be achieved. For the first time, agriculture has now received real recognition in our overall state promotion program.

### Industry

Now, let's look at industrial employment. In giving you some statistics on employment, I am aware that statistics are only tools that can be used to prove whatever theory the mind is determined to declare. I place no primary reliance on any set of statistics to show the essential soundness of New Hampshire, for I am aware that another set of figures may be forthcoming tomorrow to prove the opposite of what I believe to be true. Yet, used in good faith, statistics can be made to show the significance of trends. I offer you the indices published by responsible state and federal agencies as an indication of where New Hampshire industry stands today.

While obviously a man out of a job, with no money to make both ends meet, cannot eat statistics; nevertheless, our employment picture has been relatively good.

The Division of Employment Security reports that there were fewer people unemployed in New Hampshire for the calendar year 1953 than for any year since 1946. It further reports that, while last year we lost 20 industries employing 1219 people with total payrolls of  $3\frac{1}{4}$  million dollars; at the same time, 65 new plants started business in the State employing 2,533 people with payrolls totalling nearly 6 million dollars. This means we had a net gain of 45 new plants, 1,314 new jobs, and  $2\frac{3}{4}$  million dollars in new payrolls. Considering the current difficulties of the textile industry in New England, surely this is a remarkable record of energetic accomplishment!

March and April are consistently our peak months for unemployment. The approximately 12,700 people out of work in New Hampshire today represent a little less than normal peace-time unemployment. The last five-year average for our March unemployment was 13,500, which means that unemployment last month was 6% less than the average March figure since 1948. The current seasonal high of approximately 12,700 unemployed for the current month, bad as it is, is still considerably better than the nearly 14,000 monthly average unem-

ployed during the entire calendar year of 1950 and 19,600 out of work for all year during 1949.

Because such a good job of diversifying has been accomplished in our basic industries, it is interesting to note that while manufacturing employment in the United States was decreasing from August of last year to February of this year by 7.2% — in New Hampshire, it decreased by only 3.2%. The present industrial recession is nationwide; yet, unemployment has increased much less rapidly in New Hampshire in recent months than it has throughout the nation. New Hampshire has gained this stability by our leadership in industrial promotion aimed to encourage many small manufacturers of varied products and to avoid reliance on only a few large manufacturers of a few products.

By the end of this month, as we approach the summer season with its new construction and influx of summer visitors, we will have just about reached the peak of joblessness. Actually, it has been the rapidity of the rise of our unemployment during the past few winter months, rather than its magnitude, which has affected some people. Unfortunately, most of our present jobless are concentrated in a few specific cities and towns, such as Manchester, Keene, Dover and Claremont, where a particular plant has closed down. Fortunately, on the other hand, you have wisely provided one of the most liberal unemployment compensation plans in the nation; therefore, most of those who have been laid off are at least in a position where they are drawing compensation to assist in tiding them over.

What these citizens want is work — not compensation! I am pleased to be able to tell you that in prospect for the immediate future are several beginning operations which are creating a substantial number of new job opportunities. A few of these are Insuline Corporation of America in Manchester, Textronics in Nashua, Simplex Wire and Cable Company and the Air Base in Newington. These employers alone will add several millions of new dollars and hundreds of new jobs to their payrolls before the end of the current year.

### Promotion

New Hampshire, which has lived through prosperity, war, depression and disaster for 300 years, is showing today that she

can more than hold her own in the problem that economists call "transition." In terms of stability, this state faces no such problems today as does Michigan with its heavy dependence on automobiles, Illinois on steel, or West Virginia on coal.

I want to assure you, while others are crying messages of despair and doom, that New Hampshire is basically sound. I urge you to join me in an effort to proclaim the strong points of our economy. I ask you to turn aside from the professional pessimists who are always in our midst. I urge you to join me in an aggressive campaign to sell New Hampshire.

There are those who ridicule "Whooperism." They have referred to the "Whooper" program as adolescent, undignified, stupid and purposeless. Yet, it is a part of our whole successful effort for the further development of agriculture, recreation and industry. It is only by such planned publicity that we can effectively call to the attention of outsiders the joy of living, working, and playing in this best of all the states. "Whooperism" is more than a banquet, the giving of a scroll to a distinguished visitor, or a publicity picture in the press. It is rather the name we have applied to a novel and sound program to "sell" New Hampshire.

Certainly this effort in which the President of the United States has taken part, which has advertised New Hampshire directly to 35 million people in one television show, and now is bringing to New Hampshire a great American, is effectively calling attention of the world to the greatest state of the 48.

All New Hampshire takes pride that at our "Whooper" Banquet this year we are to be honored by the presence of one of the nation's greatest living citizens. It is fitting and appropriate that he should come to New Hampshire for this particular occasion as he so well knows that the wonder of our nation lies within the strength and heritage of the individual states. He perhaps, more than any other American today, realizes the fundamental importance of believing in the basic traditions, history, and blessings which make each individual citizen so rightfully proud of his own state. This man, who comes to us this year in tribute to our own deep and sincere pride in New Hampshire, is General Douglas MacArthur.

Can anyone thoughtfully say that these are not the results of a lively promotion program designed for a more prosperous economy?

### Subversive Activities

Now, let me report on a matter that is of deep concern to all of us. I refer to the investigation currently being conducted by the Attorney General into subversive activities in New Hampshire.

Nine months ago, you directed the Attorney General to undertake such an investigation. Specifically, you requested a report on whether there had been violations of the Subversive Activity Act of 1951; whether subversive persons, as defined in that act, are presently within our State; and to report to the 1955 session of the Legislature the results of that investigation. You also requested that recommendations be made at that time for additional legislation if such was deemed advisable or necessary.

To date, the Attorney General has received sworn testimony from 66 witnesses. These witnesses have identified the definite existence of 87 individuals either presently or previously within our State who are, or have been, members of the Communist Party. While the Party's activities in this state have not been as extensive as in states with a larger metropolitan population, nevertheless considerable numbers of individuals have been members of the Party in New Hampshire and there has been a Party organization in this state since about 1928.

You will recall that an initial appropriation of \$10,000 was authorized for the purpose of conducting this probe. The Legislature also authorized the Attorney General to request additional funds from the Governor and Council for the purpose of continuing the investigation. We authorized in February an additional \$4,500, and it will require further appropriations at the rate of \$2,000 per month for him to proceed with his investigation until you reconvene in regular session. It is anticipated that the completion of the job will have cost \$30,500.

The findings of the Attorney General are supporting a theory that some of us have held for a long time; that the Communist Party should be outlawed in this state and in the nation.

As Governor, I have stated that I shall ask for the resignation of any state employee who refuses to answer the Attorney General's questions concerning loyalty to this state. It is still

a privilege to work for our government. It is not a right of any kind. I do not want my State represented by one single individual who hides behind a Constitution which he and his associates are seeking to destroy. No employee of the State of New Hampshire will receive any protection or sympathy by this administration if he becomes a "5th Amendment refugee." We should be proud that all our employees themselves have felt the same way!

### Highways

Our highways represent a major portion of state spending.

We are continuing to progress steadily on the 15-year highway program and the special turnpike construction authorized by the 1953 Legislature. Both the regular projects and special construction are well ahead of schedule. At the present time, 35 major highway jobs are under construction with 23 more to come prior to the end of this fiscal year.

In addition, 200 miles of roads will be completely resurfaced and 50% of all remaining roads will be given surfacing treatment before July first. The Central Turnpike by July 1 will be entirely under construction from south of Nashua to the Manchester City Line. As soon as land acquisition problems can be resolved on the Eastern turnpike, construction will start there.

Last year we had a flood which caused damage in the vicinity of 12 million dollars to the highways of New Hampshire. A few years ago, this would have been a major emergency requiring special action by the Legislature, but, as a result of systematic planning, we immediately and without complications qualified for federal funds available for such emergencies in an approximate amount of \$600,000. Then, by advancing some projects for construction and deferring others, we were able to handle the entire catastrophe within the scope of the Highway Department's current budget.

### Land Damage Awards

So much for a general account of what has been done since you were last here.

Now to get down to the issues at hand. Specifically, you are here to consider the procedure by which the State of New Hampshire acquires land to build its highways.

The State is empowered to acquire the property of private



citizens by the law of eminent domain. The private citizen must sell his property to the State. He has no alternative, but past legislatures have given him many defenses to assure that the payment for his property is adequate and full compensation.

Supporting the State, in buying land, are the courts of New Hampshire which, if no voluntary agreement can be reached, will force the private citizen to sell his land and fix just compensation. Many years ago, we learned that it is not reasonable to expect the court to fix the value of all property which the State acquires. Such procedures would engage the citizens in endless litigation with their government. The legislature, therefore, has wisely determined that the State, through so-called highway layout commissions, may offer to the private citizen reasonable compensation, and the citizen may accept such compensation for the land he delivers to the State.

Obviously there are good reasons why state department employees should not bargain directly with individuals for purchase of land. For this reason, the legislature of New Hampshire set up this process whereby an independent group of well-qualified citizens, appointed by the Governor and Council, constitute a land damage commission for the purpose of determining the amount which the State shall pay to any citizen for his land.

If the citizen is dissatisfied with the award offered by a land damage commission, he can appeal to the courts. The Legislature, however, has not provided that the State, in its own interest, may question any settlement which is made by a land damage commission.

This administration made the original suggestion that the state should have this same right to protest land damage awards made by these commissions as it now provides in the law for our aggrieved citizens. I assume that you are ready at this time to pass legislation to this end. Such legislation, if it is reasonable in its terms and conditions, will have my wholehearted support.

The calling of this session at this time rose out of a specific instance, commonly known as the Edgcomb Steel case. Much of the publicity given to Edgcomb Steel and its management has been completely unwarranted and misleading. Allegations have been deliberately made which are unsupportable by fact. I would like to say a few things about that case to set the record straight:

*First,* The Governor and Council appointed a land damage commission to set values on land acquired through the City of Nashua. This Commission was appointed in complete accordance with the spirit and the letter of the law enacted by the legislature.

*Second,* Three men of unimpeachable integrity and public spirit were appointed to the Commission by me. Their appointment had the unanimous approval of the Executive Council. These men are Senator Nathan Tirrell, Senator Maurice Jones and Mr. Peter Agrafiotis. They are all fine men with a long record of public service. Nobody has challenged their integrity or their ability.

*Third,* The land damage commission awarded to the Edgcomb Steel Company what it considered to be fair compensation for land taken and damage done to its business thereby, in building the Central Turnpike. Although the amount of the award has loosely been termed "excessive," nobody formally presented to me charges or accusations that the amount was in fact excessive or that the award was made in any manner that was other than right and proper.

*Fourth,* One person went so far as to attack the award in the courts. He presented, however, no proof of excessive damages to the court; consequently, the court promptly dismissed his petition.

*Fifth,* It is not my purpose to defend the amount of any land damage award, but I do strongly support the reputations of these honorable men who appear, from the evidence submitted, to have been subjected to unwarranted attack. I will continue to support them until derogatory, credible evidence is produced — something other than wild, unsubstantiated and misleading statements.

*Sixth,* The Edgcomb Steel people are a reputable, highly-rated firm which has operated successfully for many years in Connecticut and other states. Recently, in part as a direct result of our industrial promotion program, it established a new branch in New Hampshire. It is the first steel plant of its type in New Hampshire. It is a plant which not only has brought increased employment and taxable revenue into the southern part of the State, but it also has served as a very useful, convenient supplier of bar steel products for the other indus-

tries of our State. I am proud to have played some part in bringing this firm to New Hampshire. I am glad that they came to New Hampshire. We need their payroll, and I pray they stay in New Hampshire. If there is anything I, or this administration, can do to protect them from further embarrassment caused by the politics and publicity of this affair, we shall be most happy to do it. I would hope that most members of this legislature recognize the advantage of holding for New Hampshire this or any other good industry with its attendant jobs and payroll.

*Seventh*, Arthur W. Moody, the President of Edgcomb Steel, is a highly respected and new citizen of this State. Throughout the incident, with all its malicious publicity and accusing inferences, no one has questioned the integrity of Mr. Moody, nor should they! I know it will be impossible to interest employers in moving to New Hampshire if the best we can offer them is the kind of unfair public abuse which the Edgcomb management has received from some quarters.

I repeat at this point, nobody has made any charges or allegations to the office of the Governor that there is anything improper in the way the Land Damage Commission has executed its task. Such charges, as were made before Superior Court, were thrown out by the Court. The Governor and the Executive Council have taken all action possible to protect the interests of the people of the State, even to the extent of requesting and receiving an advisory opinion from the Supreme Court in the matter. I believe that any fair-minded person will agree that despite defects of the law, which, incidentally, this administration had already pointed out to your Legislative Council, the interests of the people have been as well protected as has been within our power.

As you now are about to consider necessary legislation, please know that I stand ready to assist you, and all department heads have been directed to help to the fullest possible extent.

You know that legislative proceedings are costly to the people and the State. In your earlier session, you were just as anxious as was I to make the session as brief as possible in order to ease the expense which the taxpayer must bear.

So, in conclusion, may I say that the Executive Department is ready to render any aid possible to expedite and make

your work easier. No one realizes better than yourselves that it is imperative to the people of New Hampshire — those whom you represent — that your deliberations be thoughtful, carefully considered, and accomplished with as much dispatch as possible.

This, I am confident, will be the case.

May I thank you for your courtesy here this morning, and may God give you guidance in these important deliberations you are about to undertake.

On motion of Senator Caron of District No. 17 the convention rose.

### Recess

### After recess

Mr. Rathbone of Exeter offered the following resolution:

*Whereas* the members of the New Hampshire House of Representatives have learned with regret of the serious illness of our highly respected and much beloved member, Maude Richards of Exeter, therefore be it

*Resolved* that the members of the House of Representatives convened in Special Session extend to our absent member sincere best wishes for a speedy and successful recovery and be it further

*Resolved* that the Clerk of the House of Representatives transmit a copy of these Resolutions to Mrs. Maude Richards.

On a *viva voce* vote the resolution was adopted.

Mr. Pillsbury of Manchester offered the following resolution:

*Resolved:* That the Clerk be instructed to procure 1000 copies of the address of His Excellency, the Governor, in pamphlet form.

On a *viva voce* vote the resolution was adopted.

Mr. Payeur of Pembroke offered the following concurrent resolution:

*Whereas*, the Honorable Senate and House of Representatives have been called into special session for the purpose of protecting the interests of the people of our State against what appears to be unreasonable awards by so-called lay-out commissions, and

*Whereas*, the legislative branches of our State have been called into this special session as a direct result of public opinion against the Edgcomb land damage award, and

*Whereas*, as servants of the people it is our duty to investigate and make public the entire story relating to the Edgcomb award so that public confidence can be restored, therefore be it

*Resolved*, that a committee composed of three members from the Honorable Senate and four members of the Honorable House of Representatives be appointed to investigate all phases of transactions that led to the unfair award made to the Edgcomb Corp., and report its findings at this special session of the Legislature.

The question being on the concurrent resolution.

The concurrent resolution was referred to the Committee on Rules.

Mr. Payeur of Pembroke moved that the rules of the House be suspended to allow consideration of the resolution to be taken up at the present time.

The question being on the motion to suspend rules.

(Discussion Ensued)

Mr. Payeur of Pembroke spoke in favor of the resolution.

Mr. Spaulding of Hudson moved that the concurrent resolution be laid upon the table.

The question being on the motion.

Mr. Payeur of Pembroke demanded the Yeas and Nays and the roll was called with the following result:

#### Yeas — 241

MERRIMACK COUNTY: Hyde, Holmes of Boscawen, Moore, Vogel, Tebbetts, Hancock, Otis, Corbett, Jewett, Saltmarsh, Cilley, Nawn, Sargent, Mendenhall, Nutter, Broadhurst, Leonard, Patenaude, Davis of Hopkinton, Brown of Loudon, Lamson, Wilman, Ferguson, Young, Powell.

HILLSBOROUGH COUNTY: Robinson, Wiggin, Black, Hambleton, Jennings, Poore, Reed of Goffstown, Adams of Greenfield, English, Hadley, Goodwin of Hollis, Abbott, Goodwin of Hudson, Spaulding, Warren, Corliss, Lang of Manchester, Soucy of Manchester, Ward 1, Cain, Danforth, Geisel, Pills-



bury, Robb, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Cooper, Freeman, Ramsdell, Temple, Pappagianis, Shea of Nashua, Locke of New Boston, Thompson of New Ipswich, Mailloux, Cummings, Barry.

CHESHIRE COUNTY: Burnham, Dort, Thomas, Maynard of Fitzwilliam, Clark of Harrisville, Smith of Hinsdale, Spoffard, Haley, Kirk, Sweeney of Keene, Landers, Wheeler, Bennett, Coddington, Faulkner, Barton, Carlton, Sherwin, Blake, Kershaw, Lang of Troy, Rhodes, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Frizell, Angus, Converse, Howe, Firestone, Millar, Nahil, Stone, Davis of Cornish, Smith of Langdon, Wirkkala, Holden of Newport, Perry, Roe, Vaughan, DeLude.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Whittier, Plumer, Willey, Eggleston, Brown of Easton, Peabody, Williams, Atkins, Fuller, Hayward, Holden of Hanover, Sleeper, Stockwell, Adams of Lebanon, Cole, Jones, Fred of Lebanon, Perley, Griffin of Lincoln, Fox, Gardner of Littleton, Longchamps, Martin, Dixon, Carr, Howard, Bell of Plymouth, Barney, Horner, Anderson, Woodward, Sawyer.

COOS COUNTY: Christiansen, Oakes, Emerson, Kimball of Jefferson, Simonds, Swett, Boutain, Hayes, Hilliard, Weeks of Stewartstown, Taylor.

ROCKINGHAM COUNTY: Brock, Griffin of Aubun, Dudley, Westcoat, Hazelton, Barka, Clark of Derry, Hepworth, Eldredge, Eastman of Exeter, Jones of Fremont, Weeks of Greenland, Spollett, Merrill of Hampton, Ring, Thurlow, MacDonald, Parmenter, McCaffrey, Sheehy, Holden of Newington, Carter, Pinkham, McDaniel, Seel, Foote, Murch, Yeaton, Joyce, Leary, Wardwell, Smart, Ingraham, Mafera, Haigh, Noyes, Peever, Durkee, Scamman, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Leighton, Webb, Crandall, Flanagan, Littlehale, Stearns, Parker, Wormhood, Nehring, Rolfe, Maxfield, Nelson, Carignan, St. Pierre, Studley, Clement, Fernald, Green of Rollinsford, Beamis, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Roeder, Nichols, Gardner of Gilford, Robertson, Hart, Stafford, Morin, Simoneau, Tilton of Laconia, Karagianis, Burbank, Brown of

Laconia, Varrell, Kipp, Smith of Meredith, Matthews, Atwood, Metcalf of Tilton.

CARROLL COUNTY: Washburn, Benson, Downs, Mudgett, Morey, Gale, Kimball of Moultonborough, Hodge, Nickerson, Hodgdon, Peaslee of Wakefield, Ford.

### Nays — 75

MERRIMACK COUNTY: Lessels, Thompson of Franklin, Douphinette, DuDevoir, Mulaire, Payeur, Youmans.

HILLSBOROUGH COUNTY: Holmes of Amherst, Fortin, Sidel, Connor, Horan, Sullivan, Fitzgerald, Kean, Nolan, Betley, Healy of Manchester, Ward 5, Callahan, Clancy, Healy of Manchester, Ward 6, Ecker, LeClerc, Paradis, Tessier, Genest, Auger, Bergeron, Kearns, O'Neil, Lareau, Soucy of Manchester, Ward 12, Vaillancourt, Dupont, Gauthier, Lesmerises, Cannon, Boire, Belcourt, Brosnahan, Maynard of Nashua, Dionne, Ryan, Sweeney of Nashua, Dutilly, Grandmaison, Pelletier, Bouthillier, Dumais.

CHESHIRE COUNTY: Billings.

SULLIVAN COUNTY: None.

GRAFTON COUNTY: None.

COOS COUNTY: Dussault, Henderson, Sheridan, Brungot, Bouchard, Fontaine, Theriault, Ross, Potter, Stinson.

ROCKINGHAM COUNTY: Ladd, Rathbone, Eastman of Kensington, Labranche, Sewall, Barret., Hundley, Payette, Sadler.

STRAFFORD COUNTY: Grimes, Marcotte of Dover, Lacasse, LeTourneau, Malley.

BELKNAP COUNTY: None.

CARROLL COUNTY: None.

And the motion to lay on the table prevailed.

### Introduction of a Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

House Bill No. 2, An Act relative to state highway layouts and award of damages.

To a joint committee consisting of the Committees on Public Works and Judiciary.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time.

On motion of Mr. Fuller of Hanover at 12:31 o'clock the House adjourned.

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WEDNESDAY, APRIL 7, 1954

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

"A sacred burden is this life you bear,  
Look on it, lift it, bear it solemnly,  
Stand up and walk beneath it steadfastly;  
Fail not for sorrow, falter not for sin,  
But onward, upward, till the goal you win."

O God the creator and giver of life, and whose Son Jesus Christ, said: "I am come that ye might have life, and have it more abundantly"; help us to more fully appraise the worth of this Divine gift. Make us ever mindful, our God, that mere existence is not the fulness of life. Give to us vision that broadens the horizons of life; a keen sense of responsibility, that identifies us with the welfare of the great and important interests of the day; convictions, born of prayerful thought and consideration, and the courage to stand by such convictions. Again, we beseech Thee O God, to help us to know and experience that fullness of life that may rightly be ours. In the name of Christ we ask this. *Amen.*

### Leaves of Absence

Mr. Colburn of Nashua was granted leave of absence for the day on account of illness.

Mr. Metcalf of Springfield was granted leave of absence for the week on account of illness.

Mrs. Atwood of Sanbornton was granted leave of absence for the day on account of important business.

Mr. Belletete of Jaffrey was granted leave of absence for Wednesday and Thursday on account of important business.

### Presentation

Mr. John B. Moningka, goodwill representative to the state of New Hampshire from Makassar, Indonesia, was introduced from the rostrum by the Speaker. Mr. Moningka addressed the house, and as a gesture of good will presented the Speaker with a batik shirt. Mr. Young of Pittsfield, on behalf of the House, presented Mr. Moningka with a can of New Hampshire maple syrup.

### Introduction of a Bill

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

House Bill No. 3, An Act relating to compensation and mileage of members and attaches of the legislature in special sessions.

To the Committee on Appropriations.

On motion of Mr. Ferguson of Pittsfield the rules were so far suspended as to dispense with the printing and notice of hearing under rule 47.

### Committee Changes

The Speaker made the following Committee Appointments.

Mrs. Goodwin of Hollis to the Committee on Appropriations.

Mr. Downs of Conway to the Committee on Appropriations.

### Resolutions

Mr. Comi of Concord offered the following resolution:

*Whereas*, we have learned of the death of Carroll W. Flanders of Bow since the regular session of the Legislature, therefore be it

*Resolved* that we the members of the House of Representatives hereby pay tribute to our fellow member for his services to the State and town and extend our deep sympathy to the family in its bereavement and be it further

*Resolved* that the Clerk of the House transmit to Mrs. Flanders a copy of these Resolutions.

On a rising vote the resolution was unanimously adopted.

Mr. Kershaw of Swanzev offered the following resolution:

*Whereas*, we have learned of the death of Walter L. Malony of Gilsum, former member of the House of Representatives, since the regular session of the Legislature, therefore be it

*Resolved* that we the members of the House of Representatives hereby pay tribute to our fellow member for his services to the State and Town and extend our deepest sympathy to the family in its bereavement and be it further

*Resolved* that the Clerk of the House transmit a copy of this Resolution to his family.

On a rising vote the resolution was unanimously adopted.

Mr. Chase of Dover offered the following resolution:

*Whereas*, John E. Horne, Representative from Milton for several sessions passed away since the regular session of the Legislature and

*Whereas* he served long and faithfully in various offices of his town, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the New Hampshire Legislature, pay tribute to his services to his town and state and extend our deep sympathy to his family in its bereavement, and be it further

*Resolved*, That the Clerk of the House transmit to Mrs. Horne a copy of these resolutions.

On a rising vote the resolution was unanimously adopted.

Mr. Griffin of Lincoln offered the following resolution:

*Whereas*, Henry G. Wells, Representative from Newton, member of the Public Service Commission and a former President of the Massachusetts State Senate, passed away since the regular session of the Legislature, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the New Hampshire Legislature, hereby extend our tribute to his services to his town and state, and extend our deep sympathy to his family in its bereavement, and be it further



*Resolved*, That the Clerk of the House transmit to Mrs. Wells a copy of these resolutions.

On a rising vote the resolution was unanimously adopted.

Mr. Casey of Manchester offered the following resolution:

*Whereas*, we have learned of the death of Edward J. Cavanaugh of Manchester since the regular session of the Legislature, therefore be it

*Resolved* that we the members of the House of Representatives hereby pay tribute to our fellow member for his services to the State and City and extend our deep sympathy to the family in its bereavement and be it further

*Resolved* that the Clerk of the House transmit to Mrs. Cavanaugh a copy of these Resolutions.

On a rising vote the resolution was unanimously adopted.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time.

### Reconsideration

Mr. Payeur of Pembroke moved that the House reconsider its vote whereby the House suspended the rules to allow afternoon business to be in order at the present time.

On a *viva voce* vote the motion prevailed.

Mr. Payeur of Pembroke offered the following resolution:

*Whereas*, the Honorable Senate and House of Representatives have been called into special session for the purpose of protecting the interests of the people of our State against what appears to be unreasonable awards by so-called lay-out commissions, and

*Whereas*, the legislative branches of our State have been called into this special session as a direct result of public opinion against the Edgcomb land damage award, and

*Whereas*, as servants of the people it is our duty to investigate and make public the entire story relating to the Edgcomb award so that public confidence can be restored, therefore be it

*Resolved*, that a committee composed of seven members from the Honorable House of Representatives be appointed to

investigate all phases of transactions that led to the award made to the Edgcomb Corporation and report its findings at this special session of the Legislature.

The question being on the resolution.

(Discussion Ensued)

Messrs. Payeur of Pembroke, Betley, Martel, Kearns, and Sidel of Manchester and Eastman of Kensington spoke in favor of the resolution.

Mr. Pillsbury of Manchester moved that the resolution be committed to the Joint Committee consisting of the Committees on Public Works and Judiciary.

The question being on the motion.

(Discussion Ensued)

Messrs. Pillsbury of Manchester, English of Hancock, Barry of Wilton, and Mrs. Cooper of Nashua spoke in favor of the motion.

Messrs. Betley of Manchester, and Payeur of Pembroke spoke against the motion.

Mr. Brown of Loudon moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to commit.

On a *viva voce* vote the motion prevailed.

Mr. Betley of Manchester demanded the yeas and nays but subsequently withdrew his demand.

Mr. Betley of Manchester called for a division, but subsequently withdrew his demand.

### Resolutions

Mr. Youmans of Warner offered the following resolution:

*Whereas*, the Honorable John Moninka presented our Speaker with a token of friendship from his country and

*Whereas*, we, the members of the New Hampshire House of Representatives deeply appreciated this token

*Therefore* be it resolved that the Honorable Speaker be instructed to wear his gift at a meeting of this Special Session so all can see and admire it.

On a *viva voce* vote the resolution was adopted.

Mr. Pillsbury of Manchester offered the following resolution:

*Whereas*, Ansel N. Sanborn of Wakefield has passed away, and

*Whereas*, he held many public offices including Member of the House of Representatives for several sessions, Member of the State Senate for two sessions and Member of the Governor's Council as well as positions in the town of Wakefield, and

*Whereas*, he was a former Speaker of the House and a former President of the Senate, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court convened in special session, pay tribute to our former fellow member for his long-time public service to his town and state, and extend our deep sympathy to his family in its bereavement, and be it further

*Resolved*, That the Clerk of the House transmit a copy of these Resolutions to Mrs. Sanborn.

On a rising vote the resolution was unanimously adopted.

Mr. Martel of Manchester offered the following resolution:

*Whereas* the members of the New Hampshire House of Representatives have learned with regret of the serious illness of Michael T. Sullivan, former member of the Legislature for several sessions and former Chairman of the Manchester Delegation, therefore be it

*Resolved* that the members of the House of Representatives convened in Special Session extend to our former member sincere best wishes for a speedy and successful recovery and be it further

*Resolved* that the Clerk of the House of Representatives transmit a copy of these Resolutions to Mr. Sullivan.

On a *viva voce* vote the resolution was adopted.

Mr. Willey of Campton and Mr. Gale of Jackson offered the following resolution:

*Whereas*, We have learned with regret of the death of David S. Austin, 2d, former Representative from Waterville, whose life was devoted to public service,

*Now Therefore Be It Resolved* That we, the members of the House of Representatives, hereby express our deep sympathy to his family in its bereavement, and

*Be It Further Resolved* That the Clerk of the House transmit a copy of these resolutions to the family.

On a rising vote the resolution was unanimously adopted.

### Resolution

On motion of Mr. Wadleigh of Milford the rules were so far suspended as to allow business in order at 3:00 o'clock to be in order at the present time.

On motion of Mr. Green of Rollinsford at 1:14 o'clock the House adjourned.

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THURSDAY, APRIL 8, 1954

The House met at 11:00 o'clock.

Prayer was offered by the chaplain.

O Eternal God, who has committed to us great and solemn trusts — political, social and religious — grant that we may prove ourselves worthy of Thy confidence in us. In these days of this Special Session of our General Court, when we are endeavoring to crystalize the opinions of many minds into something that will be for the future welfare of our state, direct us. O God, in our thinking and decisions. Endow us with grace to give and to take, to agree and disagree, without animosity; help us to ever remember that our democracy was founded, and has been preserved through the years, amid the storms of approval and disapproval, amid victory and defeat. Help us to place the welfare of our state above human differences. Through Jesus Christ our Lord, *Amen*.

### Leaves of Absence

Messrs. Martel of Manchester, English of Hancock, and Tebbetts of Concord were granted leaves of absence for the day on account of important business.

### Resolution

On motion of Mr. Ingham of Winchester the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

### Committee Reports

Mr. Moore of Bradford for the Joint Committee consisting of the Committee on Public Works and Judiciary to whom was referred House Bill No. 1, An Act relative to the construction or alteration of highways, and the assessment of highway construction damages. Having considered the same, reported the same with the following resolution:

*Resolved*, That the bill be referred to the Legislative Council for Consideration.

A minority of the special committee consisting of the Committees on Judiciary and the Committee on Public Works to whom was referred House Bill No. 1, An Act relative to the construction or alteration of highways, and the assessment of highway construction damages. Having considered the same, and being unable to agree with the majority, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend House Bill No. 1 by striking out all after the enacting clause and inserting in place thereof the following:

1. *Lay Out of Class I and II Highways.* Amend part 4 of Chapter 90 of the Revised Laws, as inserted by chapter 188, Laws of 1945, and as amended by chapter 182, Laws of 1949, and section 1, chapter 175, Laws of 1953, by striking out said part and inserting in place thereof the following:

### Part 4

#### Lay Out of Class I and II Highways

1. *Occasion for Laying Out of Highways, by Governor and Council or by Commission.* The Governor and Council may determine upon public hearing whether there is occasion



for the laying out or for the alteration of a class I or class II highway or highways within the state included in the national system of interstate highways in a location proposed by the commissioner, or the governor and council may appoint for each location a commission of three persons to hold such hearing and make such determination. The persons appointed to such commission shall be sworn to act faithfully and impartially in the performance of their duties, and the certificate of their oath shall be returned to the secretary of state.

2. *Notice of Hearing.* The governor, with the advice of the council, or the commission appointed by the governor with the advice of council, at least fourteen days previous to hearing, shall cause notice in writing of the time and place of hearing appointed by them, together with a description of the proposed location, to be given to each owner of and holder of lien of record upon land or other property over which such highway may pass, and to the clerk of any city or town in which such highway or alteration may be laid out.

3. *Owners.* Owners shall include tenants for life or years, remaindermen, or reversioners.

4. *Notice to Owner.* Notice of the hearing shall be given to each owner, mortgagee, attachment creditor and all other holders of liens on the owner's land which are duly recorded at the time the notice of the hearing is given, in person or by leaving at his abode or sent by registered mail to said owner's and lien holders' last known address. If the owner is a person under guardianship or conservatorship notice shall be given to his guardian or conservator in like manner. If the owner is under any legal disability a guardian or conservator may be appointed.

5. *Posting of Notice.* When the owner, mortgagee, attachment creditor or other holder of lien of record, or his residence, is unknown or uncertain, a copy of such notice, when posted in two public places in the city or town in which the land is situate, at least fourteen days previous to hearing, shall be deemed sufficient notice to such owner, mortgagee, attachment creditor or other holder of lien of record.

6. *Conduct of Hearing.* The governor and council, or the commission, at the time and place appointed for hearing, shall make a personal examination of the proposed location, and of any highway for which the proposed highway is designed to be a substitute, shall hear all parties interested who

may attend, and may adjourn as they see cause. They may admit or reject any evidence offered and there shall be no appeal from their findings on the matter of occasion for the laying out of the highway or alteration thereof in the absence of fraud or gross mistake.

7. *Return of Findings.* The governor and council, or the commission appointed by the governor and council, shall make a return of their findings and determination for the laying out of the highway or alteration, describing the same and the width thereof, and cause the same to be filed with the commissioner of public works and highways, the secretary of state, and file a copy of such return with the clerk of the city or town in which such highway or alteration is laid out.

8. *Taking of Land and Property.* Upon receipt of the return on the findings and determination of the governor and council, or of the commission, the commissioner of public works and highways then may assess the damages to be sustained by each owner of land or property to be taken or purchased. He shall tender payment of the sum so assessed for damages after the same has been reviewed by the Highway Damages Assessment Board in the manner hereinafter provided. No purchase of land or property so assessed shall be consummated until tender of payment is made.

9. *Board.* There is hereby created and there shall be a board to be known as the Highway Damage Assessment Board consisting of three persons known to possess knowledge of real estate and other related property and its value. No more than two members shall be of one political party.

10. *Appointment; Removal.* The members of the board shall be appointed by the supreme court and commissioned by the governor. Any member may be removed by the same appointing authority for inefficiency, neglect of duty, misfeasance or malfeasance in office. Before removal he shall be furnished with a copy of the charges against him and have an opportunity to be heard in defense.

11. *Term.* The term of office of each member shall be for three years beginning on May 1, 1954 except that the first appointments to the board shall be for the terms of one year, two years and three years, respectively, as designated in their respective appointments. The supreme court shall designate annually one member of the commission as chairman, and another as secretary. The members so designated shall

serve in such capacities until the expiration of their terms of office, or until vacancies occur, and thereafter such designation shall be made upon the expiration of the term of office of any member and the appointment of a successor.

12. *Compensation of Board Members.* The members of Highway Damage Assessment Board shall be paid twenty dollars a day, each, for such time as they actually engaged in the service of the state and their actual expenses. Such compensation shall be a charge upon the state department of Public Works and Highway funds.

13. *Vacancy.* Removal of residence of a board member from the state shall create a vacancy. Whenever a vacancy occurs an appointment shall be made for the unexpired term by the supreme court.

14. *Quorum.* A majority of the members shall constitute a quorum for the transaction of the business and the performance of the duties of the board.

15. *Meetings.* Meetings of the board shall be held at the request of the commissioner of public works and highways, or at the call of the chairman of the board, or at the request of any two members thereof. Notice of any request or call for a meeting shall be mailed to all members of the board at least five days prior to the time of the meeting, except that such notice may be waived by the unanimous consent of all three members of the board.

16. *Report of Assessments.* When the commissioner of public works and highways has assessed the amount of damages to be paid an owner for land or other property to be taken or purchased under the provisions of this act he shall forthwith report his determination and all the evidence upon which said amount of damages is based to the Highway Damage Assessment Board on a form prescribed by the board.

17. *Duties of Board.* The board shall review the report of the commissioner. If the board believes that the sum assessed is excessive and not in the best interests of the state, the report shall be returned to the commissioner with the board's direction to obtain assessment of said damages by jury. When a report is so returned to the commissioner the board shall immediately transmit their findings to the attorney general together with all records, reports, documents, memoranda and evidence considered by it.

18. *Duties of Attorney General.* Upon receipt of the report of the findings of the Highway Damage Assessment Board directing assessment of said damages by jury the attorney general shall, in the name of the state, within thirty days petition the superior court for the county in which the land or property to be taken or purchased is situate for assessment of said damages by jury. After service of said petition upon the owner the state shall have the same right of appeal and jury determination of award as is herein provided for aggrieved owners. The costs shall be a charge upon the state department of public works and highway funds.

19. *Deposit of Damages.* If said board shall direct the commissioner to petition for assessment of the said damages by jury, the commissioner of public works and highways, instead of tendering directly to the owner, shall deposit the sum determined by him to be awarded with the clerk of the superior court of the county in which the land or other property so affected is situate, and the owner shall be served personally by the commissioner or his agent with notice of such deposit and such deposit of said award, and notice to the owner shall have the same force and effect as a tender of the award. The commissioner's certificate of tender shall recite said deposit and notice. The clerk of the superior court shall pay over the sum deposited upon demand to the owner and the acceptance of such deposit by the owner shall not in any manner affect or prejudice the right of the state or be admitted in evidence at the trial by jury on the issue of damages. If such sum paid to the owner shall exceed the amount of final judgment, the court shall enter judgment against the owner in favor of the state for the amount so paid to him in excess of final judgment.

20. *Approval of Assessments.* If upon review of a report of the commissioner of public works and highways on assessed damages the board finds that there is no reason to believe the sum assessed to be excessive or against the best interests of the state, the report shall be returned to the commissioner with the notation "Approved" and the commissioner may then tender the payment of the sum assessed.

21. *Tender.* No land or other property taken for a highway or alteration shall be appropriated or used for making the same until the damages assessed therefor are paid or tendered to the owner or his guardian or conservator by the commissioner in money or by check of the state treasurer or of the

department of public works and highways or deposited in court as provided by section 19.

22. *Nonresident or Others.* When the owner does not reside or live within the state, or the resident owner is temporarily residing outside of the state, damages may be paid or tendered to him in person or by check of the state treasurer or of the state highway department sent by registered mail to his last known address.

23. *When Owner or Residence Unknown.* When the owner or person to whom damages are due is unknown or the identity of the person who may be entitled to damages or the amount thereof is uncertain, or his residence is unknown or uncertain, damages may be tendered to such owner or person by depositing with the state treasurer a sum of money equal to the damages assessed, and the state treasurer shall pay such sum without interest to such owner or person upon proof that he is the person entitled to such damages, and in case the state treasurer is not satisfied with the evidence that the claimant is the person entitled to such damages he may deposit the money for such damages with the clerk of the superior court for the county in which the land or property is situate, and the court, after due notice, shall determine whether such person is entitled to the damages. In the case of estates not settled where doubt exists as to the person or persons entitled to damages, or the amount thereof, a deposit with the state treasurer shall be deemed a tender to the owner and the state treasurer shall notify the judge of probate for the county in which such real estate lies.

24. *In case of Dispute.* Whenever dispute arises over title to land or other property acquired or over the person entitled to the damages awarded or purchase price, the commissioner may deposit the money for such damages or purchase price with the clerk of the superior court for the county in which such land or other property is situate together with a bill of interpleader in equity proceedings, and such deposit shall constitute sufficient tender. The court, after due notice to all claimants is given, shall determine the issues in dispute, and the clerk shall pay over the sum deposited to such persons as the court shall find are entitled thereto.

25. *Certificate of Tender.* The commissioner shall file with the secretary of state a certificate that payment or tender



of payment of the damages assessed by the commission has been made to each owner or deposited in court as provided in section 19, or, if the owner is unknown, or if the identity of the person who may be entitled to damages is uncertain, or the residence of such owner or person is unknown or uncertain, that tender of such damages has been made by deposit with the state treasurer, or if dispute has arisen, such tender has been made in the superior court, and the certificate of tender shall state the sum tendered to each landowner and his refusal or acceptance thereof.

26. *Appeal of Assessment.* Any owner of land or other property who has not accepted payment of the sum tendered and who is aggrieved by the decision of the commissioner in the assessment of damages may appeal therefrom to the superior court for the county in which such land or other property is situate by petition within sixty days after the certificate of tender has been filed with the secretary of state, and not thereafter, and the court shall assess the damages by jury, and award costs to the prevailing party.

27. *Deposit in Court.* Upon the filing of such appeal the highway commissioner may deposit with the clerk of the superior court in which the appeal is entered a sum of money equal to the damages assessed to the petitioner, and interest shall not accrue thereafter on such sum but shall only accrue on the amount of final judgment in excess thereof.

28. *Payment by Court.* The clerk of the superior court shall pay over the sum deposited upon demand to the petitioner and the acceptance of such deposit by the petitioner shall not in any manner affect or prejudice his right of appeal or be admitted in evidence at the trial by jury on the issue of damages.

29. *Judgment against petitioner.* If such sum paid to the petitioner shall exceed the amount of final judgment, the court shall enter judgment against the petitioner for the amount paid to him in excess of the amount of final judgment.

30. *Purchase of Entire Tract; Sale of Portion.* Whenever the commissioner is of the opinion that savings to the state will thereby be affected, he may purchase an entire tract of land or other property upon agreement with the owner subject to review by the Highway Damage Assessment Board and, with the consent of the governor and council, may sell

therefrom whatever land or other property is not needed for the location or relocation of the highway.

31. *Taking Tree Rights.* The commissioner may include in his assessment of damages to the abutting owners, damages for the maintenance or planting, from time to time, within the limits of such highway, of such shade or ornamental trees and shrubbery as may be necessary, in the opinion of the commissioner, for the preservation, improvement, or landscaping of such highway, and upon tender of such damages there shall be a public easement on such highway for such purposes and to protect, preserve and renew the growth thereon.

32. *Payment.* The state shall pay for all land and other property taken or acquired by the commissioner, and, with the approval of the governor, with the advice of the council, for the costs of litigation incurred by the commissioner in the taking of such land or property, and all such sums shall be a charge upon the state department of public works and highway funds.

33. *Layout Commissions.* Layout commissions appointed prior to the effective date of this act may carry out their assignments. Any commission whose assignment is not completed by May 1, 1954, shall on that date transmit all its records to the commissioner of public works and highways who shall complete the assignment in accordance with the provisions of this act, and the appointment of such layout commission shall terminate on that date.

34. *Payment of Commission Assessments.* As of the effective date of this act all pending and all unconsummated assessments by layout commissions shall be reported to the board, and shall be processed and consummated as provided in this act for assessments and payments of damages made by the commissioner of public works and highways. Any assessment of damages to be awarded or to be paid to Edgcomb Steel of New England, Inc. in particular, after the passage of this act, shall in the name of the state be petitioned to the superior court for Hillsborough county by the commissioner of public works and highways through the attorney general for assessment of said damages by jury and deposit of damages shall be in accordance with section 19 hereof.

35. *Required Filing.* Whenever proceedings have been completed under the provisions of this part for the taking of land or other property for class I or class II highways the com-

missioner of public works and highways shall cause to be recorded in the office of the register of deeds for the respective county where said land or other property is situated a plan of the final taking together with all deeds, if any, received by the state in such taking, which deeds shall make specific reference to said plan, and, if eminent domain proceedings have been had hereunder, a copy of the return of the governor and council or commissioners showing the highway or any alteration by them laid out as provided in section 7 shall be recorded in said registry of deeds.

36. *Takes Effect.* This act shall take effect upon its passage.

EMILE J. SOUCY,  
CHARLES R. EASTMAN,  
NED SPAULDING,  
ARTHUR F. ADAMS,  
FRED A. JONES,  
*A Minority of the Committee*

The report was accepted.

Mr. Soucy of Manchester moved that the report of the minority be substituted for that of the majority.

The question being on the motion to substitute.

(Discussion Ensued)

Messrs. Soucy and Kearns of Manchester, Spaulding of Hudson, Eastman of Kensington, and Lessels of Concord spoke in favor of the motion.

Messrs. Griffin of Lincoln, Pillsbury and Healy of Manchester, Perley of Lebanon and Mrs. Brungot of Berlin spoke against the motion.

Mr. Perley of Lebanon moved that the bill with accompanying reports be indefinitely postponed.

The question being on the motion to indefinitely postpone.

Mr. Soucy of Manchester, Ward 1, demanded the yeas and nays and the roll was called with the following result.

Yeas — 162

HILLSBOROUGH COUNTY: Holmes of Amherst, Robinson, Wiggin, Black, Goodwin of Hollis, Warren, Cain, Giesel, Pills-

bury, Deans, Falconer, Wadleigh, Cooper, Ramsdell, Locke of New Boston, Thompson of New Ipswich, Cummings, Dutton.

CHESHIRE COUNTY: Dort, Thomas, Maynard of Fitzwilliam, Haley, Kirk, Sweeney of Keene, Landers, Wheeler, Coddington, Faulkner, Barton, Carlton, Sherwin, Blake, Kershaw, Rhodes, Billings, Ingham of Winchester.

SULLIVAN COUNTY: Converse, Firestone, Davis of Cornish, Wirkkala, Holden of Newport, Perry, Roe, Vaughan, Jordan, DeLude.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Whittier, Plumer, Willey, Eggleston, Williams, Atkins, Fuller, Hayward, Holden of Hanover, Sleeper, Stockwell, Ashley, Cole, Perley, Griffin of Lincoln, Fox, Gardner of Littleton, Longchamps, Martin, Dixon, Carr, Bell of Plymouth, Barney, Horner, Anderson, Woodward, Sawyer.

COOS COUNTY: Dussault, Brungot, Oakes, Emerson, Kimball of Jefferson, Simonds, Swett, Potter, Boutain, Hayes, Hilliard, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Clark of Derry, Hepworth, Eldredge, Eastman of Exeter, Rathbone, Weeks of Greenland, Spollett, Merrill of Hampton, Parmenter, McCaffrey, Sheehy, Carter, Pinkham, McDaniel, Haigh, Noyes.

STRAFFORD COUNTY: Chase, Leighton, Webb, Crandall, Stearns, Wormhood, Nehring, Maxfield, Nelson, Carignan, Studley, Clement, Green of Rollinsford, Brown of Strafford.

BELKNAP COUNTY: McAllister, Gardner of Gilford, Hart, Stafford, Karagianis, Burbank, Varrell, Kipp, Smith of Meredith, Matthews, Atwood, Metcalf of Tilton.

CARROLL COUNTY: Washburn, Benson, Mudgett, Morey, Gale, Kimball of Moultonborough, Hodge, Nickerson, Hodgdon, Ford.

MERRIMACK COUNTY: Hyde, Holmes of Boscawen, Moore, Hancock, Otis, Rainie of Concord, Cilley, Maxham, Walker of Concord, Mahoney, Nawn, Mendenhall, Nutter, Douphinette, Davis of Hopkinton, Brown of Loudon, Lamson, Wilman, Ferguson, Young, Powell.

### Nays — 143

HILLSBOROUGH COUNTY: Farwell, Hambleton, Jennings, Poore, Reed of Goffstown, Adams of Greenfield, Fortin, Had-

ley, Abbott, Goodwin of Hudson, Spaulding, Lang of Manchester, Soucy of Manchester, Ward 1, Danforth, Robb, Connor, Horan, Sullivan, Kean, Nolan, Betley, Hurley, Callahan, Clancy, Healy of Manchester, Ward 6, Ecker, LeClerk, Tessier, Genest, Auger, Bergeron, Kearns, O'Neil, Attalla, Lareau, Soucy of Manchester, Ward 12, Vaillancourt, Dupont, Gauthier, Lesmerises, Thibodeau, Cannon, Peaslee of Merrimack, Boire, Belcourt, Brosnahan, Maynard of Nashua, Dionne, Shea of Nashua, Chartrain, Ryan, Sweeney of Nashua, Dugas, Dutilly, Grandmaison, Pelletier, Bouthillier, Dumail, Mailoux, Barry.

CHESHIRE COUNTY: Burnham, Clark of Harrisville, Smith of Hinsdale, Spofford, Bennett, Lang of Troy, Thompson of Winchester.

SULLIVAN COUNTY: Frizzell, Angus, Howe, Millar, Nahil, Stone, Smith of Langdon.

GRAFTON COUNTY: Brown of Easton, Peabody, Adams of Lebanon, Jones, Fred of Lebanon, Jones, Victor of Lebanon, Howard.

COOS COUNTY: Henderson, Sheridan, Christiansen, Fontaine, Theriault, Ross, Weeks of Stewartstown, Stinson.

ROCKINGHAM COUNTY: Brock, Wastcoat, Barka, Ladd, Jones of Fremont, Thurlow, Eastman, MacDonald, Sewall, Seel, Barrett, Hundley, Payette, Sadler, Foote, Murch, Yeaton, Joyce, Leary, Wardwell, Smart, Ingraham, Mafera, Peever, Durkee, Waterhouse.

STRAFFORD COUNTY: Swain, Grimes, Marcotte of Dover, Flanagan, Littlehale, Rolfe, St. Pierre, Letourneau, Malley.

BELKNAP COUNTY: Perkins of Alton, Nichols, Morin, Simoneau, Tilton of Laconia.

CARROLL COUNTY: Peaslee of Wakefield.

MERRIMACK COUNTY: Vogel, Ferrin, Lessels, Jewett, Saltmarsh, Bunten, Sargent, Broadhurst, Burke, Thompson of Franklin, Leonard, Dudevoir, Mulaire, Payeur.

And the motion to indefinitely postpone prevailed.

### Rule 17

Mr. Scamman of Stratham rose to disqualify himself under provisions of rule 17 on the above question.



Mr. Moore of Bradford for the Joint Committee consisting of the Committees on Public Works and Judiciary to whom was referred House Bill No. 2, An Act relative to state highway layouts and award of damages. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend section 1 of said bill by adding at the end thereof the following:

17-b. *Special Proceedings in Certain Cases.* In the making of all awards the commission shall keep a complete record of all evidence considered by it in arriving at its awards and shall submit its proposed awards to the commissioner of public works and highways before making tender.

A minority of the Joint Committee on Public Works and Judiciary to whom was referred House Bill No. 2, An Act relative to state highway layouts and award of damages. Having considered the same and being unable to agree, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

EMILE J. SOUCY,  
NED SPAULDING,  
CHARLES R. EASTMAN,  
*For the Minority of the Committee*

The report was accepted.

Mr. Spaulding of Hudson rose to state that in view of the action taken on House Bill No. 1, he would not move to substitute the minority report for that of the majority.

The question being on the amendment offered by the committee.

On a *viva voce* vote the amendment was adopted.

Mr. Malley of Somersworth offered the following amendment.

Amend section 1 of said bill by striking out the first sentence in 17-a, as inserted by section 1, and inserting in place thereof the sentence: After assesment and before tender of payment said commission shall report all facts relative to its contemplated awards to the governor and council; said governor and council shall make public a complete list of the awards contemplated showing the name of each owner and the amount of the award in each case; and the governor and council shall thereafter make an independent evaluation ob-

taining the services of competent consultants if in their opinion such are necessary, so that said section as amended shall read as follows:

1. *State Highway Layouts.* Amend part 4, chapter 90, Revised Laws, as inserted by chapter 188, Laws of 1945, by inserting after section 17 the following new section: 17-a. *Appeal by Commission.* After assessment and before tender of payment said commission shall report all facts relative to its contemplated awards to the governor and council; said governor and council shall make public a complete list of the awards contemplated showing the name of each owner and the amount of the award in each case; and the governor and council shall thereafter make an independent evaluation obtaining the services of competent consultants if in their opinion such are necessary. If the governor and council consider any award to any owner of land or other property improper the governor and council shall so indicate on the said report and thereafter said commission instead of tendering directly to the owner shall deposit said sum awarded by the commission with the clerk of the superior court of the county in which the land so affected is situate and the owner shall be served personally by the clerk of the commission with notice of such deposit and, upon petition of the commissioner of public works and highways, the state shall have the same right of appeal and jury determination of award as is herein provided for aggrieved owners. Such deposit of said award and notice to the owner shall have the same force and effect as a tender of the award. The commission's certificate of tender shall recite the notation of the governor and council and the manner of tender. The clerk of the superior court shall pay over the sum deposited upon demand to the owner and the acceptance of such deposit by the owner shall not in any manner affect or prejudice the right of appeal of the state or the rights of the owner or be admitted in evidence at the trial by jury on the issue of damages. If such sum paid to the owner shall exceed the amount of final judgment, the court shall enter judgment against the owner for the amount paid to him in excess of final judgment.

The question being on the amendment.

(Discussion Ensued)

Messrs. Malley of Somersworth, Betley and Pillsbury of Manchester, Griffin of Lincoln, Ferguson of Pittsfield, and

Mrs. Millar of Claremont spoke in favor of the amendment.  
On a *viva voce* vote the amendment was adopted.

Mr. Giesel of Manchester offered the following amendment.

Amend said bill by inserting after section 1 the following new section:

2. *Notices.* Amend section 5, part 4, chapter 90, Revised Laws, as inserted by chapter 188, Laws of 1945, by striking out said section and inserting in place thereof the following:

5. *Notice of Hearing.* The governor, with the advice of the council, or the commission appointed by the governor with advice of council, at least fourteen days previous to hearing, shall cause notice in writing of the time and place of hearing appointed by them, together with a description of the proposed location, to be given to each owner of and holder of lien of record upon land or other property over which such highway may pass, and to the clerk of any city or town in which such highway or alteration may be laid out.

Further amend said bill by renumbering section 2 to read section 3.

The question being on the amendment.

Messrs. Giesel and Pillsbury of Manchester, and Griffin of Lincoln spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted and the bill ordered to a third reading.

On motion of Mr. Pillsbury of Manchester the rules of the House were so far suspended as to put House Bill No. 2 upon its third reading and final passage, by title only, at the present time.

House Bill No. 2, was read a third time, and passed and sent to the Senate for concurrence.

Mr. Tilton of Laconia for the Committee on Appropriations to whom was referred House Bill No. 3, An Act relating to compensation and mileage of members and attaches of the legislature in special sessions. Having considered the same, reported the same with the following amendment, and the recommendation that the bill as amended ought to pass.

Amend the bill by striking out the title and inserting in place thereof the following:

An act relating to compensation and mileage of attaches in special session, mileage of members at said special session and a certain capital improvement at the State Hospital.

Amend section 1 of the bill by striking out the words "for attendance compensation of three dollars per day for a period not exceeding fifteen days and" in the sixth, seventh and eighth lines, so that said section as amended shall read as follows: 1. *The General Court*. Amend chapter 9-A of the Revised Laws, as inserted by chapter 134 of the Laws of 1945, by adding at the end thereof a new section as follows: 7. *Compensation and Mileage*. In the event that the general court convenes itself in special session in the manner provided by this chapter, the officers and members shall receive the usual mileage. The attaches of the general court shall receive for attendance compensation at the rate of the next previous session, and the usual mileage.

Further amend said bill by inserting after section 1 the following new section: 2. *State Hospital Capital Improvements*. Amend the item in paragraph IV of section 2 of chapter 264 of the Laws of 1953, relative to the Thayer building at the state hospital by striking out the words and figure "\*Remodel Thayer and for administration, \$268,000." and inserting in place thereof the following: \*Remodel Thayer and for construction of a new wing for said building, \$268,000.

Further amend said bill by renumbering section 2 to read section 3.

The report was accepted.

The question being on the amendment.

On motion of Mt. Betley of Manchester the question was divided.

The question being on that part of the amendment pertaining to the title and the new section No. 2.

(Discussion Ensued)

Mr. Ferguson of Pittsfield spoke in favor of the amendment.

On a *viva voce* vote the amendment was adopted.

The question being on that part of the amendment pertaining to section No. 1.

## (Discussion Ensued)

Mr. Durkee of Seabrook spoke in favor of the amendment.

Messrs. Betley of Manchester, Angus of Claremont, Barry of Wilton, Perley of Lebanon, Eldredge of Exeter, Payeur of Pembroke, and Mrs. Brungot of Berlin spoke against the amendment.

Mr. Attalla of Manchester moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on section No. 1 of the amendment.

On a *viva voce* vote Section No. 1 of the amendment was not adopted.

Mr. Durkee of Seabrook demanded the yeas and nays and the roll was called with the following result:

## Yeas — 96

ROCKINGHAM COUNTY: Griffin of Auburn, Wastcoat, Bar-ka, Spollett, Merrill of Hampton, Thurlow, Parmenter, McCaffrey, McDaniel, Foote, Smart, Ingraham, Mafera, Haigh, Peever, Durkee, Waterhouse.

STRAFFORD COUNTY: Chase, Nelson, Studley, Clement, Green of Rollinsford.

BELKNAP COUNTY: Hart, Stafford, Tilton of Laconia, Kipp, Matthews, Atwood.

CARROLL COUNTY: Washburn, Benson, Downs, Morey, Kimball of Moultonborough, Hodgdon.

MERRIMACK COUNTY: Hyde, Otis, Rainie of Concord, Buntten, Cilley, Walker of Concord, Comi, Nawn, Thompson of Franklin, Leonard, Davis of Hopkinton, Payeur, Ferguson.

HILLSBOROUGH COUNTY: Holmes of Amherst, Robinson, Wiggin, Farwell, Poore, Hadley, Spaulding, Warren, Geisel, Pillsbury, Kearns, Gauthier, Peaslee of Merrimack, Deans, Falconer, Wadleigh, Cooper, Ramsdell, Brosnahan, Locke of New Boston, Thompson of New Ipswich.

CHESHIRE COUNTY: Dort, Maynard of Fitzwilliam, Smith of Hinsdale, Spofford, Sweeney of Keene, Landers, Barton, Carlton, Sherwin, Blake, Kershaw, Rhodes, Thompson of Winchester.



SULLIVAN COUNTY: Frizell, Millar, Davis of Cornish, Holden of Newport, Perry, DeLude.

GRAFTON COUNTY: Chamberlin of Bath, Willey, Peabody, Ashley, Longchamps, Bell of Plymouth, Barney, Woodward.

COOS COUNTY: Taylor.

### Nays — 201

ROCKINGHAM COUNTY: Brock, Dudley, Clark of Derry, Hepworth, Ladd, Eldredge, Eastman of Exeter, Rathbone, Jones of Fremont, Weeks of Greenland, Eastman, MacDonald, Sheehy, Holden of Newington, LaBranche, Sewall, Carter, Pinkham, Seel, Barrett, Hundley, Payette, Sadler, Murch, Yeaton, Joyce, Leary, Wardwell, Noyes, Scamman.

STRAFFORD COUNTY: Swain, Leighton, Grimes, Marcotte of Dover, Webb, Crandall, Flanagan, Littlehale, Wormhood, Nehring, Rolfe, Maxfield, Carignan, LaCasse, St. Pierre, Le-Tourneau, Malley, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Nichols, Gardner of Gilford, Morin, Simoneau, Karagianis, Burbank, Varrell, Smith of Meredith, Metcalf of Tilton.

CARROLL COUNTY: Mudgett, Gale, Hodge, Nickerson, Peaslee of Wakefield, Ford.

MERRIMACK COUNTY: Holmes of Boscawen, Moore, Hancock, Lessels, Corbett, Jewett, Saltmarsh, Maxham, Mahoney, Sargent, Mendenhall, Nutter, Broadhurst, Burke, Douphinette, DuDevoir, Mulaire, Brown of Loudon, Lamson, Wilman, Young, Powell, Youmans.

HILLSBOROUGH COUNTY: Hambleton, Jennings, Reed of Goffstown, Adams of Greenfield, Fortin, Abbott, Goodwin of Hudson, Lang of Manchester, Danforth, Robb, Horan, Sullivan, Kean, Nolan, Healy of Manchester, Ward 5, Callahan, Clancy, Healey of Manchester, Ward 6, Ecker, Leclerc, Tessier, Genest, Auger, Attalla, Lareau, Soucy of Manchester, Ward 12, Vaillancourt, Cannon, Boire, Belcourt, Maynard of Nashua, Pappagianis, Dionne, Shea of Nashua, Chartrain, Ryan, Sweeney of Nashua, Dugas, Dutilly, Grandmaison, Pelletier, Boutillier, Dumais, Mailloux, Cummings, Dutton, Barry.

CHESHIRE COUNTY: Thomas, Clark of Harrisville, Haley, Kirk, Wheeler, Bennett, Coddington, Faulkner, Waling, Lang of Troy, Billings.

SULLIVAN COUNTY: Angus, Converse, Howe, Firestone, Nahil, Stone, Smith of Langdon, Wirkkala, Roe, Vaughan, Jordan.

GRAFTON COUNTY: Gingras, Whittier, Plumer, Eggleston, Brown of Easton, Williams, Atkins, Fuller, Hayward, Holden of Hanover, Adams of Lebanon, Cole, Jones, Fred of Lebanon, Jones, Victor of Lebanon, Perley, Griffin of Lincoln, Fox, Martin, Dixon, Carr, Howard, Horner, Anderson, Sawyer.

COOS COUNTY: Dussault, Henderson, Sheridan, Brungot, Christiansen, Bouchard, Fontaine, Theriault, Oakes, Emerson, Ross, Kimball of Jefferson, Simond, Swett, Potter, Boutain, Hayes, Hilliard, Weeks of Stewartstown, Stinson.

And the amendment pertaining to section No. 1 was not adopted, and the bill was ordered to a third reading.

### Rule 17

Messrs. Black of Bennington, and Betley of Manchester disqualified themselves from voting on the question under rule 17.

On motion of Mr. Angus of Claremont the rules of the House were so far suspended as to allow House Bill No. 3 to be put upon its third reading and final passage, by title only, at the present time.

The bill was read a third time and passed and sent to the Senate for concurrence.

### Resolutions

Mr. Stearns of Durham offered the following resolution:

*Whereas* today is the birthday of that distinguished journalist, Leon Anderson — the Squire of Chichester — , and *Whereas* Mr. Anderson, a former member of this body, has for many years covered the deliberations of this house with unquestioned fairness and impartiality, be it hereby resolved that this historic day — his 39th birthday — be officially noted in the archives of the General Court.

On a *viva voce* vote the resolution was adopted.

Mr. Barrett of Portsmouth offered the following resolution:

*Whereas*, the members of the New Hampshire House of Representatives in Special Session, have learned with regret

of the death of Patrick J. Kittredge of Portsmouth, former Representative from Portsmouth, therefore be it

*Resolved*, that we, the members of the House of Representatives, hereby express our deep sympathy to his family in its bereavement and be it further

*Resolved*, that the Clerk of the House transmit a copy of these Resolutions to his family.

On a rising vote the resolution was unanimously adopted.

Mr. Karagianis of Laconia offered the following resolution:

*Whereas*, we have learned with regret of the death of Oscar L. Hoyt, a representative from ward 4, in the city of Laconia, for the session of 1953, therefore be it

*Resolved*, That we, the members of the House of Representatives hereby express our deepest sympathy to Mr. Hoyt's family and be it further

*Resolved*, That the Clerk of the House transmit a copy of these resolutions to the family of Oscar L. Hoyt.

On a rising vote the resolution was unanimously adopted.

Mr. Chase of Dover moved that the rules of the House be so far suspended as to allow the introduction of a bill.

The question being on the motion to suspend the rules.

(Discussion Ensued)

Messrs. Chase of Dover and Angus of Claremont spoke in favor of the motion.

The Speaker called for a division.

A division being had 285 members having voted in the affirmative and 4 members having voted in the negative the motion to suspend the rules prevailed.

### **Introduction of a Bill**

The following bill was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

House Bill No. 4, An Act finding a Communist Conspiracy in existence and declaring the Communist Party of the United States, including its local components in the state, illegal.

### **Order Vacated**

On motion of Mr. Chase of Dover printing and reference to committee was dispensed with.

On motion of Mr. Chase of Dover House Bill No. 4, An Act finding a Communist Conspiracy in existence and declaring the Communist Party of the United States, including its local components in the state, illegal, was referred to the 1955 session of the Legislature.

### Resolution

Mr. Chase of Dover offered the following resolution:

*Whereas*, the Communist Party presents a threat to the government of the United States and to this state, and

*Whereas*, there are now pending before the Congress of the United States bills which would outlaw the Communist Party, Now Therefore

*Resolved*, by the House of Representatives That the members of the delegation in Congress from this state are hereby requested to give their active support to legislation which would outlaw the Communist Party in the United States and in this State.

*Further Resolved*, That a copy of this resolution be mailed to each member of our delegation in Congress.

The question being on resolution.

(Discussion Ensued)

Messrs. Chase of Dover, Reed of Goffstown, Betley of Manchester, Angus of Claremont, and Brown of Loudon spoke in favor of the resolution.

Mrs. Millar of Claremont, and Mr. Rainie of Concord spoke against the resolution.

Mr. Durkee of Seabrook moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the resolution.

On a *viva voce* vote the resolution was adopted.

### Rule 47

On motion of Mrs. Brungot of Berlin rule 47 was so far suspended as to permit a hearing not previously advertised on the resolution offered by Mr. Payeur of Pembroke.

Recess

## After Recess

## Resolutions

Mr. Converse of Claremont offered the following resolution:

*Whereas*, Albert S. Stetson, former Representative from the city of Claremont for several sessions passed away and

*Whereas* he has served his city in various capacities for several years, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the New Hampshire Legislature, pay tribute to him for his services to his town and to the state and extend our deep sympathy to his family in its bereavement, and be it further

*Resolved*, That the Clerk of the House transmit a copy of these resolutions to Mrs. Stetson.

On a rising vote the resolution was unanimously adopted.

Mr. Dixon of Lyme offered the following resolution:

*Whereas*, Henry S. Pushee of Lyme, Representative for several sessions, has passed away, therefore be it

*Resolved*, That we, the Members of the House of Representatives of the General Court convened in special session, pay tribute to our former fellow member for his long-time public service to his town and state, and extend our deep sympathy to his family in its bereavement, and be it further

*Resolved*, That the Clerk of the House transmit a copy of these Resolutions to his daughter, Mrs. Robert Rogers.

On a rising vote the resolution was unanimously adopted.

On motion of Mr. Wadleigh of Milford the House adjourned from the morning session.

The House was immediately called to order in afternoon session.

## Afternoon

On motion of Mr. Pillsbury the House adjourned at 4:45 o'clock until 10:00 A.M., Friday, April 9.



FRIDAY, APRIL 9, 1954

The House met according to adjournment.

Prayer was offered by the Chaplain.

Almighty God, who art the Father of all men upon earth, most heartily and sincerely we pray that Thou will keep us, Thy children, ever aware of this world-wide fellowship. While we would not be disloyal, or even indifferent, to our own community, state or nation; we ask Thee to help us, our Father, to more deeply sense our wider obligation, and aid us to take advantage of our opportunity to reach out to the uttermost parts of the earth with understanding and sympathy. We especially ask Thee to deepen our realization that we are members of a Christian fellowship that transcends nations, races and classes. Quicken our loyalty to Thee that we may always choose Thy will as our will, Thy way as our way, and Thy peace as our peace. Through Jesus Christ our Lord. *Amen*

#### Leaves of Absence

Messrs. Jewett of Concord and Green of Rollinsford were granted leave of absence for the day on account of important business.

#### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bills, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 3, An Act relating to compensation of attaches of the Legislature and mileage of members and attaches at special session, relation to a certain capital improvement at the state Hospital, the continuation of allotments in certain cases, and to an extension of so-called daylight saving time.

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relating to compensation of attaches of the legislature and mileage of members and attaches at special session, relative to a certain capital improvement at the state hospital,

the continuation of allotments in certain cases, and to an extension of so-called daylight saving time.

Amend section 1 of said bill by striking out the words "compensation of three dollars per day for a period not exceeding fifteen days and" so that said section as amended shall read as follows:

1. *The General Court.* Amend chapter 9-A of the Revised Laws, as inserted by chapter 134 of the Laws of 1945, by adding at the end thereof a new section as follows: 7. *Compensation and Mileage.* In the event that the general court convenes itself in special session in the manner provided by this chapter, the officers and members shall receive for attendance the usual mileage. The attaches of the general court shall receive for attendance compensation at the rate of the next previous session and the usual mileage.

Amend said bill by inserting after section 2 the following new sections:

3. *Continuation of Allotments.* Amend section 6 of chapter 254 of the Laws of 1951 by striking out said section and inserting in place thereof the following: 6. *Use of Funds.* The sums as appropriated in each project of section 1 shall be used as allotted, provided that in case the amount allotted for a specific project thereunder shall be more than sufficient to complete said project any balance of said allotment may be transferred to any other project mentioned in said section 1, upon approval of the governor and council. Any funds not used as herein provided shall lapse.

4. *Daylight Saving Time.* Amend section 95 of chapter 51 of the Revised Laws by striking out the word "September" wherever it appears in said section and inserting in place thereof the word, October, so that said section as amended shall read as follows: 95. *Standard Time.* The standard time within the state, except as hereinafter provided, shall be based on the mean astronomical time of the 75th degree of longitude west from Greenwich, known and designated by the federal statute as "United States Standard Eastern Time." At 2 o'clock antemeridian of the last Sunday in April of each year, the standard time in this state shall be advanced one hour, at 2 o'clock antemeridian of the last Sunday in October of each year, the standard time in this state shall, by the retarding of one hour, be made to coincide with the astronomical time herein before

described as "United States Standard Eastern Time," so that between the last Sunday in April at 2 o'clock ante-meridian and the last Sunday in October at 2 o'clock ante-meridan in each year the standard time in this state shall be one hour in advance of the "United States Standard Time." In all laws, statutes, orders, decrees, rules and regulations relating to the time of performance by any officer or department of this state, or of any county, city, town, or district thereof, or relating to the time in which any rights accrue or determine, or within which any act shall or shall not be performed by any person subject to the jurisdiction of this state, or of any county, city, town, or district thereof, and in all contracts or choses in action made or to be performed in this state, it shall be understood and intended that the time shall be as set forth in this section.

Further amend said bill by renumbering section 3 to read section 5.

Reading of the amendment having commenced, on motion of Mr. Ferguson of Pittsfield, further reading was dispensed with.

### Committee of Conference

Mr Washburn of Bartlett moved that the House non-concur in the amendments sent down from the Honorable Senate and that a committee of conference be appointed.

The question being on the motion.

(Discussion Ensued)

Mr. Washburn of Bartlett spoke in favor of the motion.

On a *viva voce* vote the motion prevailed, and the Speaker appointed as members of such committee on the part of the House Messrs. Chamberlin of Bath, Perley of Lebanon and Kearns of Manchester.

### Resolution

Mr. Foote of Portsmouth offered the following resolution:

*Whereas*, we have learned that today is the Seventieth birthday of that fun-loving attorney from the illustrious town of Lebanon, Fred A. Jones, and

*Whereas*, he was once a Speaker of this august body and for several sessions we have enjoyed the humor and companionship of our fellow member, and

*Whereas*, "Fred" has held other positions of public service, including municipal judgeship, therefore be it

*Resolved*, That we, the Members of the House of Representatives in Special Session convened, do hereby extend to our fellow member our very best wishes for a Happy Birthday today and for many more years to come, and be it further

*Resolved*, That the Clerk of the House transmit a copy of these Resolutions to Representative Jones.

On a *viva voce* vote the resolution was adopted.

Mr. Kearns of Manchester offered the following resolution:

*Whereas*, we have learned of the passing of Michael T. Sullivan of Ward 7, Manchester, a former member of the House of Representatives, and

*Whereas*, Mr. Sullivan has held various offices in the city of Manchester and in the county of Hillsborough, therefore be it

*Resolved*, that we do hereby pay tribute to the service he has given to his city, county and state and be it further

*Resolved*, that we extend our heartfelt sympathy to his family in its bereavement and be it further

*Resolved*, that the Clerk be instructed to transmit a copy of these resolutions to the family and also send flowers for the funeral.

On a rising vote the resolution was unanimously adopted.

(Recess)

After Recess

### Resolution

Mr. Carr of Orford offered the following resolution:

*Resolved*, That this House, by some means or other determine which body of this general court is dispensable and take action accordingly, thereby creating a unicameral Legislature in N. H.

The question being on the resolution.

(Discussion Ensued)

Mr. Carr of Orford spoke in favor of the resolution:

The speaker referred the resolution to the Committee on Rules.

### Introduction of a Joint Resolution

The following joint resolution was introduced, read a first and second time, laid upon the table to be printed and referred as follows:

House Joint Resolution No. 1, Joint resolution in favor of Carl E. Fogg and others. Referred to the Committee on Appropriations.

On motion of Mr. Ferguson of Pittsfield the rules of the House were so far suspended as to dispense with the printing and reference to committee of House Joint Resolution No. 1.

On motion of the same member the rules were further suspended to allow the third reading and final passage, by caption only, at the present time of House Joint Resolution No. 1.

House Joint Resolution No. 1 was then read a third time and passed and sent to the Senate for concurrence.

### Order Vacated

Mr. Plumer of Bristol moved that the order whereby the resolution, introduced by the member from Orford, Mr. Carr, was referred to the Committee on Rules be vacated and the resolution be taken up for action at the present time.

The question being on the motion.

(Discussion Ensued)

Messrs Plumer of Bristol, Eldredge of Exeter, Chase of Dover, Holmes of Amherst, and Young of Pittsfield spoke in favor of the motion to vacate.

Mr. Gauthier of Manchester moved that the House adjourn until 11:00 o'clock, Tuesday, April 13.

The question being on the motion, as to time.

(Discussion Ensued)

Messrs Ferguson of Pittsfield, Kearns and Pillsbury of Manchester, spoke against the motion.

On a *viva voce* vote the motion did not prevail.

The question being on the motion to vacate.

On a *viva voce* vote the motion to vacate the order did not prevail.



### Senate Message

A message sent down from the Honorable Senate, by its clerk, announced that the Senate concurred with the House of Representatives in the passage of the following entitled bill, with amendments, in the passage of which amendments the Senate asks the concurrence of the House of Representatives:

House Bill No. 2, An Act relative to state highway layouts and awards of damages.

Amend section 1 of said bill by striking out the same and inserting in place thereof the following:

1. *State Highway Layouts.* Amend part 4, chapter 90, Revised Laws, as inserted by chapter 188, Laws of 1945, by inserting after section 17 the following new sections: 17-a. *Appeal by State.* After assessment and before tender of payment said commission shall report all facts relative to its contemplated awards to the governor and council; said governor and council shall make public a complete list of the awards contemplated showing the name of each owner and the amount of the award in each case; and the governor and council shall thereafter make an independent evaluation obtaining the services of competent consultants if in their opinion such are necessary. If the governor and council consider any award to any owner of land or other property to be excessive or not supported by the evidence, the governor and council shall so indicate on said report. The governor and council may indicate a sum which they feel is supported by the evidence. Thereafter unless the owner accepts within seven days, excluding Saturdays, Sundays and holidays, an award, if any, indicated by the governor and council to be supported by the evidence, the commission instead of tendering directly to the owner shall deposit said sum awarded by the commission with the clerk of the superior court of the county in which the land so affected is situate and the owner shall be served personally by the clerk of the commission with notice of such deposit and, upon petition of the commissioner of public works and highways, the state shall have the same right of appeal and jury determination of award as is herein provided for aggrieved owners. Such deposit of said award and notice to the owner shall have the same force and effect as a tender of the award. The commission's certificate of tender shall recite the notation of the governor and council and the manner of tender. The clerk of the su-

perior court shall pay over the sum deposited upon demand to the owner and the acceptance of such deposit by the owner shall not in any manner affect or prejudice the right of appeal of the state or the rights of the owner or be admitted in evidence at the trial by jury on the issues of damages. If such sum paid to the owner shall exceed the amount of final judgment, the court shall enter judgment against the owner for the amount paid to him in excess of final judgment. 17-b. *Keeping of records. In the making of all awards the commission shall keep a complete record of all evidence considered by it in arriving at its awards and shall submit same to the governor and council with its report to them. The expense of such record shall be a charge against the highway fund.*

Further amend said bill by inserting after section 2 the following new section: 3. *Appeals.* Amend section 17, part 4, chapter 90, Revised Laws, as inserted by chapter 188, Laws of 1945, by striking out said section and inserting in place thereof the following: 17. *Appeal of Assessment.* Any owner of land or other property who has not accepted payment of the sum tendered and who is aggrieved by the decision of the commission in the assessment of damages may appeal therefrom to the superior court for the county in which such land or other property is situate by petition within sixty days after the certificate of tender has been filed with the secretary of state, and not thereafter, and the court shall assess the damages by jury, *or by the court without the jury*, and award costs to the prevailing party.

Further amend said bill by inserting at the end the following: 4. *Fact Finding Committee on Highway Land Damage.* There is hereby created a committee of seven members to be known as the Fact Finding Committee on Highway Land Damage Awards. The committee shall explore the present procedures for awarding land damages resulting from the laying out or alteration of class I or II highways within the state included in the national system of interstate highways. The committee shall recommend to the 1955 session of the General Court, not later than March first, 1955, such changes as it may find desirable in making awards for such highway land damage.

The committee shall also review in the light of present procedures all land damage awards in excess of \$10,000 which have been made in the six months prior to the passage of this resolu-

tion and shall report their findings at the same time as the recommendations ordered in the preceding paragraph.

The seven members of the committee shall be appointed as follows: by the President of the Senate, two members of the Senate; by the Speaker of the House, two members of the House of Representatives; by the President and the Speaker, three residents of New Hampshire who are not members of the General Court, divided as follows: one attorney who is experienced in real estate values, one civil engineer skilled in the planning and construction of manufacturing plants; and one member experienced in appraising real estate both urban and rural. The appointments shall be made not later than May 15th, 1954. No more than four of the committee shall be members of the majority party.

The committee shall elect from its membership a chairman and a clerk. It shall keep full records of its studies and make them available to the General Court. The committee shall have authority to hold public hearings, to request information from all governmental departments and agencies, to require the appearances of witnesses, to require the cooperation of the Attorney General's office, and in general have the usual powers of a legislative committee. The first meeting of the committee shall be held within two weeks of its appointment and thereafter at the call of the chairman or by a majority of the committee.

Members of the committee shall be paid \$35 each day of meeting and their actual expenses.

There is hereby appropriated out of highway funds as much money as may be necessary to cover the expenses of the committee.

Further amend said bill by renumbering section 3 to read section 5.

Mr. Griffin of Lincoln moved that the House concur in the amendments sent down from the Honorable Senate.

The question being on the motion to concur.

(Discussion Ensued)

Messrs. Betley, Pillsbury, and Kearns of Manchester, and Barry of Wilton spoke in favor of the motion.

Messrs. Spaulding of Hudson, Payeur of Pembroke, and Angus of Claremont spoke against the motion.

Mr. Hart of Laconia moved the previous question.

The question being

Shall the main question now be put?

On a *viva voce* vote the previous question was ordered.

The question being on the motion to concur in the amendments sent down from the Honorable Senate.

Mr. Attalla of Manchester demanded the yeas and nays but subsequently withdrew his demand, and asked for a division.

A division being had 200 members having voted in the affirmative, and 70 members having voted in the negative, the motion to concur prevailed.

Mr. Cain of Manchester, Ward 4 demanded the yeas and nays and the roll was called with the following result:

### Yeas — 213

HILLSBOROUGH COUNTY: Holmes of Amherst, Robinson, Wiggin, Black, Poore, English, Hadley, Goodwin of Hollis, Abbott, Goodwin of Hudson, Warren, Corliss, Cain, Danforth, Geisel, Pillsbury, Connor, Betley, Constant, Kearns, Deans, Falconer, Wadleigh, Cooper, Ramsdell, Boire, Locke of New Boston, Thompson of New Ipswich, Mailloux, Cummings, Dutton, Barry.

CHESHIRE COUNTY: Burnham, Dort, Thomas, Maynard of Fitzwilliam, Smith of Hinsdale, Haley, Kirk, Sweeney of Keene, Landers, Wheeler, Bennett, Coddington, Faulkner, Barton, Carlton, Sherwin, Blake, Kershaw, Rhodes, Billings, Ingham of Winchester, Thompson of Winchester.

SULLIVAN COUNTY: Frizzell, Angus, Converse, Howe, Firestone, Millar, Stone, Davis of Cornish, Smith of Langdon, Holden of Newport, Perry, Roe, Vaughan, Jordan, DeLude.

GRAFTON COUNTY: Gingras, Chamberlin of Bath, Whittier, Plumer, Willey, Eggleston, Brown of Easton, Peabody, Williams, Atkins, Fuller, Holden of Hanover, Sleeper, Stockwell, Adams of Lebanon, Ashley, Cole, Jones, Fred of Lebanon. Perley, Griffin of Lincoln, Fox, Gardner of Littleton, Longchamps, Martin, Dixon, Carr, Howard, Bell of Plymouth, Barney, Horner, Anderson, Woodward, Sawyer.

COOS COUNTY: Sheridan, Brungot, Christiansen, Theriault, Oakes, Robinson, Ross, Boutain, Hilliard, Weeks of Stewartstown, Stinson, Taylor.

ROCKINGHAM COUNTY: Griffin of Auburn, Dudley, Westcoat, Hazelton, Clark of Derry, Hepworth, Eldredge, Eastman of Exeter, Rathbone, Jones of Fremont, Weeks of Greenland, Spollett, Merrill of Hampton, MacDonald, Parmenter, Sheehy, Holden of Newington, Pinkham, McDaniel, Seel, Barrett, Hundley, Payette, Sadler, Murch, Yeaton, Joyce, Wardwell, Durkee, Waterhouse.

STRAFFORD COUNTY: Swain, Chase, Leighton, Webb, Crandall, Stearns, Wormhood, Maxfield, Nelson, St. Pierre, Studley, Beamis, Malley, Brown of Strafford.

BELKNAP COUNTY: Perkins of Alton, McAllister, Nichols, Gardner of Gilford, Robertson, Hart, Stafford, Simoneau, Tilton of Laconia, Karagianis, Burbank, Varrell, Kipp, Smith of Meredith, Matthews, Atwood, Metcalf of Tilton.

CARROLL COUNTY: Washburn, Benson, Downs, Mudgett, Morey, Gale, Kimball of Moultonborough, Nickerson, Hodgdon, Ford.

MERRIMACK COUNTY: Hyde, Holmes of Boscawen, Moore, Vogel, Tebbetts, Hancock, Otis, Rainie of Concord, Saltmarsh, Bunten, Cilley, Walker of Concord, Mahoney, Nawn, Sargent, Mendenhall, Nutter, Broadhurst, Leonard, Mulaire, Davis of Hopkinton, Brown of Loudon, Lamson, Wilman, Ferguson, Young, Powell, Youmans.

### Nays — 85

HILLSBOROUGH COUNTY: Farwell, Hambleton, Jennings, Reed of Goffstown, Fortin, Spaulding, Lang of Manchester, Soucy of Manchester, Ward 1, Robb, Horan, Martel, Sullivan, Kean, Nolan, Hurley, Smith of Manchester, Callahan, Casey, Clancy, Healy of Manchester, ward 6, Ecker, LeClerc, Paradis, Tessier, Delisle, Genest, Langlois, Auger, Bergeron, O'Neil, Attalla, Lareau, Soucy of Manchester, ward 12, Dupont, Gauthier, Lesmerises, Thibodeau, Donnelly, Belcourt, Brosnahan, Maynard of Nashua, Dionne, Shea of Nashua, Chartrain, Ryan, Dugas, Dutilly, Grandmaison, Bouthillier, Dumais.

CHESHIRE COUNTY: Clark of Harrisville, Lang of Troy.

SULLIVAN COUNTY: None.

GRAFTON COUNTY: Hayward, Jones, Victor of Lebanon.

COOS COUNTY: Dussault, Henderson, Bouchard, Fontaine, Potter, Hayes.

ROCKINGHAM COUNTY: Brock, Barka, Ladd, Thurlow, Eastman, LaBranche, Sewall, Foote, Smart, Ingraham, Mafera.



STRAFFORD COUNTY: Grimes, Marcotte of Dover, Littlehale, Clement, LeTourneau.

BELKNAP COUNTY: Morin.

CARROLL COUNTY: None.

MERRIMACK COUNTY: Ferrin, Lessels, Maxham, Comi, Burke, Thompson of Franklin, Douphinette, DuDevoir, Payeur.

And the motion to concur prevailed.

### Rule 17

Mr. Scamman of Stratham rose to disqualify himself from voting under rule 17.

### Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it voted to concur in the amendments sent down from the Honorable Senate.

On a *viva voce* vote the motion to reconsider did not prevail.

### Report of Committee of Conference

The Committee of Conference to whom was referred House Bill No. 3 "An Act relating to compensation and mileage of members and attaches of the legislature in special sessions and a certain capital improvement at the state hospital" have considered the matter and recommend that the Senate recede from the adoption of its amendment to section 1 of said bill and concur with the House relative to said section; that the House recede from its position of noncurrence in the amendments to said bill as adopted by the Senate relative to sections 3 and 4 and concur with the Senate in the adoption of said amendments, being sections 3 and 4; further recommend that the Senate and House concur in the adoption of the following amendments to said bill:

Amend the title of said bill by striking out the same and inserting in place thereof the following:

An Act relating to compensation and mileage of members and attaches of the legislature in special sessions, relative to a certain capital improvement at the state hospital, the continuation of allotments in certain cases and to so-called daylight saving time.

Further amend said bill by inserting after section 4 the following new section:

5. *Powers of the Governor and Council relative to Daylight Saving Time.* If during the period from the date of the passage of this act to the last Sunday of September 1954, the Commonwealth of Massachusetts repeals its statute relative to extending daylight saving time to the last Sunday of October the governor and council shall proclaim that the amendments to section 95 of chapter 51 of the Revised Laws, as provided by section 4 hereof, are hereby suspended for the year 1954 and in that event the advanced time shall end in this state on the last Sunday of September, 1954, for 1954 only.

Further amend said bill by renumbering section 3 to read section 6.

EDWIN P. CHAMBERLIN

JOSEPH B. PERLEY

JOHN J. KEARNS

*Conferees on the part of the House*

CURTIS C. CUMMINGS

MAURICE A. JONES

*Conferees on the part of the Senate*

The report was accepted.

On motion of Mr. Chamberlain of Bath the House voted to agree to the report of the Committee of Conference.

### Reconsideration

Mr. Pillsbury of Manchester moved that the House reconsider its vote whereby it voted to agree to the report of the Committee of Conference.

On a *viva voce* vote the motion to reconsider did not prevail.

### Resolution

Mr. Pillsbury of Manchester offered the following resolution:

*Resolved*, That the commissioner of Public Works and Highways is requested to publish and distribute to members of the General Court prior to May 15, 1954 a pamphlet giving in full detail all information relating to the tender of \$174,000 to the Edgcomb Steel Company of New England by the state of New Hampshire. The pamphlet shall present a complete and full account of the activities of the department of Public

Works and Highways, the land damage commission involved, and all state activities relating to the Edgcomb award. The pamphlet shall include such supplementary, signed statements as the land damage commission or the attorney general shall desire to file.

The question being on the resolution.

(Discussion Ensued)

Messrs. Pillsbury, and Betley of Manchester, and Angus of Claremont spoke in favor of the resolution.

Mr. Soucy of Manchester offered the following amendment to the resolution:

The Commissioner is also requested to include in the report his communications relative to the desirability of Court review of the principles used in determining the assessment.

The question being on the amendment.

(Discussion Ensued)

Mr. Soucy of Manchester spoke in favor of the amendment.

Mr. Pillsbury of Manchester spoke against the amendment.

On a *viva voce* vote the amendment to the resolution was not adopted.

The question being on the resolution.

(Discussion Ensued)

Mr. Kearns of Manchester spoke in favor of the resolution.

On a *viva voce* vote the resolution was adopted.

### Resolution

Mr. Martel of Manchester offered the following resolution.

*Whereas*, it is customary during every session for the past years to observe a commemoration of the death of Christ, and

*Whereas*, Good Friday, occuring April 16, 1954 and

*Whereas*, being publicly mindful and fully appreciative on this eventful anniversary,

*Now therefore*, we, the members of the House of Representatives, do and hereby resolve to observe at the present moment, a one-minute period of silent meditation to commem-

orate the sufferings and the death on the Cross, of the Son of God, Our Lord and Saviour Jesus Christ, for the salvation of mankind.

On a rising vote the resolution was unanimously adopted and observed.

### Senate Message

A message sent down from the Honorable Senate, by its Clerk, announced that: the Senate had voted to concur with the House of Representatives in the passage of the following joint resolution sent up from the House of Representatives: House Joint Resolution No. 1, Joint Resolution in favor of Lloyd E. Fogg and others.

### Resolution

Mr. Spaulding of Hudson offered the following resolution:

*Resolved*, That when checks for payment of salary of \$3.00 per day for legislators are made that they be made separate from the checks for mileage.

The question being on the resolution:

(Discussion Ensued)

Messrs. Spaulding of Hudson, Angus of Claremont, and Jones of Lebanon spoke in favor of the resolution.

Mr. Betley of Manchester spoke against the resolution.

On a *viva voce* vote the resolution was adopted.

Recess

After Recess

### Concurrent Resolution

Mrs. Holmes of Amherst offered the following concurrent resolution:

*Resolved*, by the House of Representatives, the Senate concurring, That a committee of ten, one from each county, be appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make.

On a *viva voce* vote the concurrent resolution was adopted and the Speaker appointed as members of such committee on part of the House: Mr. Henderson of Berlin, Miss Horner of Thornton, Mr. Angus of Claremont, Mr. Dort of Chesterfield, Mrs. Cooper of Nashua, Mr. Ferguson of Pittsfield, Mr. Downs of Conway, Mrs. Gardner of Guilford, Mrs. St. Pierre of Rochester, and Mr. Merrill of Hampton.

### Resolution

Mrs. Brungot of Berlin offered the following resolution:

*Whereas*, Norman A. McMeekin of Haverhill has served this special session of the New Hampshire House of Representatives, as Speaker, in a very efficient manner and with impartial consideration to all, therefore be it

*Resolved*, That we, the members of the House of Representatives, in special session convened do hereby extend to him, by a rising vote, our heartfelt appreciation of this great service rendered and be it further

*Resolved*, That the Clerk transmit a copy of these resolutions to Mr. McMeekin.

On a rising vote the resolution was unanimously adopted.

### Correspondence

The following letter was read by Mr. Scamman of Stratham:

House of Representatives  
Concord, N. H.

April 9, 1954

Hon. Louis C. Wyman  
Attorney General  
State House  
Dear Mr. Wyman:

Will you kindly give me your opinion, in writing, as to the liability of the State of New Hampshire to Edgcomb Steel of New Hampshire, Inc., in respect to the reported award of \$174,000.00.

Very truly yours,  
W. DOUGLAS SCAMMAN



ATTORNEY GENERAL  
CONCORD

April 9, 1954

Honorable W. Douglas Scamman  
House of Representatives  
State House  
Concord, New Hampshire

Dear Representative Scamman:

Pursuant to your request to advise you as to the present status of the legal situation with respect to liability of the State of New Hampshire to Edgcomb Steel of New England, Inc. in respect to the award in the amount of \$174,000 in November of 1953, you are respectfully advised that in my opinion, the State of New Hampshire is not liable to Edgcomb Steel of New England, Inc. in any amount at the present time. It has now been determined by the Commissioner of Public Works and Highways that it is not necessary to take as much of Edgcomb's land as was originally believed by the Commission to be required last November. This means, obviously, that if less land is to be taken less damage to the corporation is to be expected. Without regard to whether a process of renegotiation is presently under way on a mutually voluntary basis between the State and Edgcomb, I believe that any negotiations last year which were conducted under the mistaken belief that three hundred feet were required and discussed on the mistaken belief that the State wanted three hundred feet, are now void for a mutual mistake of fact as well as perhaps a mutual mistake of law.

In any event, should Edgcomb Steel of New England, Inc. take the unlikely position that the State had bound itself by express contract to purchase a three-hundred-foot tract and endeavor to sue the State for damages for breach of that contract, the matter would then be in court and then be heard before a jury. Beyond question, the State would be authorized by virtue of the lesser amount of land now required to reject and defend in any such suit, and I would certainly recommend that such a rejection and defense take place should the corporation seek to force the State to purchase a piece of land which it does not need.

Respectfully,

LOUIS C. WYMAN,  
*Attorney General*

On motion of Mr. Holden of Hanover the above letters were ordered printed in the journal.

On motion of Mr. Ingham of Winchester the rules were suspended to allow for the presentation of a committee report which had not previously been advertised in the Journal.

Mrs. Cooper of Nashua for the Joint Committee consisting of Committees on Public Works and Judiciary to whom was referred Resolution relative to committee to be appointed to investigate all phases of transactions that led to the award made to the Edgcomb Corporation, and report its findings at this special session of the Legislature. Having considered the same, reported the same with the following resolution:

*Resolved*, That it is inexpedient to legislate.

The report was accepted and the resolution of the Committee adopted.

### Senate Message

A message sent down from the Honorable Senate, 'by its clerk, announced that:

The Senate had voted to accede to the request of the House of Representatives for a Committee of Conference on House Bill No. 3, An Act relating to compensation of attaches of the Legislature and mileage of members and attaches at special session, relative to a certain capital improvement at the state Hospital, the continuation of allotments in certain cases, and to an extension of so-called daylight saving time.

And the President has appointed as members of such Committee on the part of the Senate, Senators Cummings and Jones.

The message also announced that the Senate had voted to adopt the report of the Committee of Conference on House Bill No. 3, An Act relating to compensation of attaches of the Legislature and mileage of members and attaches at special session, relative to a certain capital improvement at the state Hospital, the continuation of allotments in certain cases, and to an extension of so-called daylight saving time.

The message further announced that the Senate had voted to concur with the House of Representatives in the passage of the following concurrent resolution:

*Resolved*, by the House of Representatives, the Senate concurring, That a committee of ten, one from each county, be

appointed to join with such committee as the Senate may designate to wait upon His Excellency, the Governor, and inform him that the Legislature has completed the business of the session and is ready to receive any communication he may be pleased to make.

And the President has appointed as members of such committee on the part of the Senate, Senators Greene, Jackson, and Caron.

### **Report of Committee on Engrossed Bills**

Mrs. Landers of Keene for the Committee on Engrossed Bills reported that they had examined and found correctly engrossed the following entitled House Bills and House Joint Resolution:

House Bill No. 2, An Act relative to state highway layouts and award of damages.

House Bill No. 3, An Act relating to compensation and mileage of members and attaches of the Legislature in special sessions, relative to a certain capital improvement at the State Hospital, the continuation of allotments in certain cases and to so-called daylight saving time.

House Joint Resolution No. 1, Joint Resolution in favor of Lloyd E. Fogg and others.

The report was accepted.

### **Committee Report**

Mr. Henderson of Berlin for the Joint Committee appointed to wait upon his Excellency, the Governor, and inform him that the legislature had completed its duties, reported that they had attended to their duty and that the Governor informed them that he had a communication to lay before the House.

The report was accepted and immediately His Excellency Hugh Gregg, Governor, appeared before the House and delivered the following message:

Four days ago I requested that you, consistent with adequate deliberation, make every effort to conclude your business as rapidly as possible. It is with deep sincerity that I now commend you upon having acted with such dispatch in the handling of your business. Certainly all taxpayers of our state should recognize that you have expended arduous hours

in the past few days to complete your job in such a relatively short time.

The only other matter I would like to place upon the record of these proceedings is a strong positive statement that at no time, either prior to or during this Session, did I do or attempt to do anything to prevent the calling of yourselves into Session or to influence the direction of any legislation during your deliberations.

I give to you the absolute oath that I never, either directly or indirectly, advised any legislator to vote either for or against the convening of this Session.

Although this administration was the first to suggest to the Legislative Council the need for remedial legislation regarding land damage awards, I make the further absolute statement that at no time have I endeavored, either directly or indirectly, to influence the passage or defeat of any Bill in either House during the past four days.

As individual legislators, each of you know these things to be true!

Please know that the administration hopes you will find occasion in the coming months either to visit us personally in Concord, or to let us be of service in any way possible.

Because this may possibly be the last time I will have the opportunity of addressing you, may I say that my associations with this Legislature have been one of the pleasantest experiences of the many which I have enjoyed since I have had the honor of being your Governor.

I have been informed by the Joint Committee of the Senate and House of Representatives that you have completed the business of the session. Therefore, now, by the authority vested in me as Governor, I do hereby declare the General Court of New Hampshire adjourned to the last Wednesday in December in the year of our Lord one thousand nine hundred and fifty-four.

As you now leave for your communities, may I wish each of you Godspeed.

HUGH GREGG,  
*Governor*

**Benediction**

Benediction was given by the Chaplain.

Thereupon, at 7:13 o'clock, the Speaker declared the House adjourned to the last Wednesday in December, 1954.

ROBERT L. STARK,  
*Clerk*

A true copy, Attest:

ROBERT L. STARK,  
*Clerk*















